

Subpart W—Massachusetts

§52.1119 Identification of plan—conditional approval.

(a) The following plan revisions were submitted on the dates specified.

(1) On November 13, 1992, the Massachusetts Department of Environmental Protection submitted a small business stationary source technical and environmental compliance assistance program (PROGRAM). On July 22, 1993, Massachusetts submitted a letter clarifying portions of the November 13, 1992 submittal. In these submissions, the State commits to submit adequate legal authority to establish and implement a compliance advisory panel and to have a fully operational PROGRAM by November 15, 1994.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated November 13, 1992 submitting a revision to the Massachusetts State Implementation Plan.

(B) State Implementation Plan Revision for a Small Business Technical and Environmental Compliance Assistance Program dated November 13, 1992.

(ii) Additional materials.

(A) Letter from the Massachusetts Department of Environmental Protection dated July 22, 1993 clarifying portions of Massachusetts' November 13, 1992 SIP revision.

(2) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on January 11, 1995 and March 29, 1995.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection dated January 11, 1995 and March 29, 1995 submitting a revision to the Massachusetts State Implementation Plan.

(B) 310 CMR 7.24(8) "Marine Vessel Transfer Operations" effective in the Commonwealth of Massachusetts on January 27, 1995.

(C) Definitions of "combustion device," "leak," "leaking component," "lightering or lightering operation," "loading event," "marine tank vessel," "marine terminal," "marine vessel," "organic liquid," and "recovery device" in 310 CMR 7.00 "Definitions" effective

in the Commonwealth of Massachusetts on January 27, 1995.

(ii) Additional materials.

(A) Letter from the Massachusetts Department of Environmental Protection dated February 1, 1996 committing to address the outstanding issues associated with 310 CMR 7.24(8) as identified by EPA in a letter dated September 19, 1995.

(B) Nonregulatory portions of the submittal.

[59 FR 41708, Aug. 15, 1994, as amended at 61 FR 43976, Aug. 27, 1996]

§52.1120 Identification of plan.

(a) Title of plan: "Plan for Implementation, Maintenance, and Enforcement of National Primary and Secondary Ambient Air Quality Standards."

(b) The plan was officially submitted on January 27, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Emergency episode regulations submitted on February 22, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.

(2) Miscellaneous non-regulatory changes to the plan, wording changes in regulations 2.5 and 2.1 and clarification of Regulations 2.5.1 through 2.5.4 submitted on April 27, 1972, by the Division of Environmental Health, Massachusetts Department of Public Health.

(3) Miscellaneous non-regulatory additions to the plan submitted on May 5, 1972, by the Bureau of Air Quality Control, Massachusetts Department of Public Health.

(4) Miscellaneous changes affecting regulations 2.1, 2.5, 4.2, 4.5.1, 5.6.1, 6.1.2, 6.3.1, 8.1.6, 9.1, 15.1, 51.2, 52.1 and 52.2 of the regulations for all six Air Pollution Control Districts submitted on August 28, 1972 by the Governor.

(5) Letter of concurrence on AQMA identifications submitted on July 23, 1974, by the Governor.

(6) Revision to Regulation No. 5, increasing allowable sulfur content of fuels in the Boston Air Pollution Control District submitted on July 11, 1975, by the Secretary of Environmental Affairs, and on April 1, 1977 and April 20, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(7) Revision to Regulation 50—Variances, Regulations for Control of Air Pollution in the six Massachusetts Air Pollution Control Districts, submitted by letter dated November 14, 1974, by the Governor.

(8) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Merrimack Valley Air Pollution Control District submitted on January 28, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering, and additional technical information pertinent to the Haverhill Paperboard Corp., Haverhill, Mass., submitted on December 30, 1976 by the Secretary of Environmental Affairs.

(9) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Pioneer Valley Air Pollution Control District submitted on July 22, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering, and additional technical information pertinent to Deerfield Specialty Papers, Inc., Monroe, Mass., submitted on December 27, 1977 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(10) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Central Massachusetts Air Pollution Control District submitted on June 25, 1976 by the Secretary of Environmental Affairs and on August 22, 1977 by the Commissioner of the Department of Environmental Quality Engineering.

(11) Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Central Massachusetts Air Pollution Control District (revised and adopted by the Massachusetts Department of Environmental Quality Engineering on March 29, 1976, with specific provisions for the City of Fitchburg) submitted on June 25, 1976, by the Secretary of Environmental Affairs.

(12) A revision to Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Southeastern Massachusetts Air Pollution Control District, submitted on December 30, 1976 by the Secretary of Environmental Affairs and on January 31, 1978 by the Commissioner of the Massachusetts

Department of Environmental Quality Engineering.

(13) A revision to Regulation 5.1, Sulfur Content of Fuels and Control Thereof, for the Berkshire Air Pollution Control District, submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on April 14, 1977, and additional technical information submitted on August 11, 1978, pertaining to the Schweitzer Division, Kimberly-Clark Corporation, Columbia Mill, Lee, and on August 31, 1978, pertaining to Crane and Company, Inc., Dalton.

(14) Revisions to "Regulations for the Prevention and/or Abatement of Air Pollution Episode and Air Pollution Incident Emergencies," submitted on September 15, 1976 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(15) A revision to Regulation 2.5, Compliance with Emission Limitations, and to Regulation 16, Reduction of Single Passenger Commuter Vehicle Use, for the Pioneer Valley Air Pollution Control District, submitted on May 20, 1977, by the Acting Commissioner of the Executive Office of Environmental Affairs, Department of Environmental Quality Engineering.

(16) Revision to regulation 7 and regulation 9, submitted on December 9, 1977, by the Commissioner of the Massachusetts Department of Environmental Quality and Engineering.

(17) Revision to Regulations 310 CMR 7.05, Sulfur-in-Fuel, and 310 CMR 7.06, Visible Emissions, allowing burning of a coal-oil slurry at New England Power Company, Salem Harbor Station, Massachusetts, submitted on July 5, 1978 by the Commissioner, Massachusetts Department of Environmental Quality Engineering and an extension to 310 CMR 7.06, *Visible Emissions*, submitted on December 28, 1979.

(18) Revision to Regulation 7.02(11) (formerly Regulation 2.5.3)—Emission Limitation to Incinerators, submitted February 1, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(19) The addition of Regulation 7.17, for the Southeastern Massachusetts Air Pollution Control District, Coal Conversion—Brayton Point Station,

New England Power Company, submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on September 7, 1978. Compliance with this revision shall be determined by methods consistent with New Source Performance Standards, proposed Test Method 19, as stated in a letter dated February 8, 1979 from Kenneth Hagg of the Massachusetts Department of Environmental Quality Engineering to Frank Ciavattieri of the Environmental Protection Agency.

(20) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Content of Fuels and Control Thereof" and a revision for the Metropolitan Boston APCD, and Merrimack Valley APCD submitted on December 28, 1978, by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(21) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1), "Sulfur Content of Fuels and Control Thereof" and a revision to Regulation 310 CMR 7.05(4) "Ash Content of Fuels" for the Pioneer Valley Air Pollution Control District, submitted on January 3, 1979 by the Acting Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(22) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1), "Sulfur Content of Fuels and Control Thereof" for the Southeastern Massachusetts APCD, submitted on January 31, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(23) A revision to Regulation 310 CMR 7.05(4) "Ash Content of Fuels" for the Metropolitan Boston Air Pollution Control District, submitted on July 20, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(24) A revision permanently extending Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Content of Fuels and Control Thereof" for the Central Massachusetts APCD, submitted on March 2, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engi-

neering, and a revision removing the seasonal restriction in Fitchburg for Fitchburg Paper Company (55 meter stacks only) and James River-Massachusetts submitted on September 28, 1979 by the Commissioner.

(25) On March 30, 1979 and on April 23, 1979 the Commissioner of the Massachusetts Department of Environmental Quality Engineering submitted the non-attainment area plan for Total Suspended Particulates (TSP) in Worcester, miscellaneous statewide regulation changes, and an extension request for the attainment of TSP secondary standards for areas designated non-attainment as of March 3, 1978.

(26) On May 3, 1979, August 7, 1979, and April 17, 1980, the Commissioner of the Massachusetts Department of Environmental Quality Engineering submitted a revision entitled "Massachusetts Implementation Plan, Amended Regulation—All Districts, New Source Review Element," relating to construction and operation of major new or modified sources in non-attainment areas.

(27) Revisions to Regulation 310 CMR 7.07, Open Burning, submitted on September 28, 1979 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(28) Revision to the state ozone standard and adoption of an ambient lead standard was submitted by Thomas F. McLoughlin, Acting Commissioner of the Department of Environmental Quality Engineering on August 21, 1979.

(29) A revision varying the provisions of Regulation 310 CMR 7.04(5), Fuel Oil Viscosity, for Cambridge Electric Light Company's Kendall Station, First Street, Cambridge, and Blackstone Station, Blackstone Street, Cambridge, submitted on December 28, 1978 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(30) Attainment plans to meet the requirements of Part D for carbon monoxide and ozone and other miscellaneous provisions were submitted by the Governor of Massachusetts on December 31, 1978 and on May 16, 1979 by the Acting Commissioner of the Department of Environmental Quality Engineering. Supplemental information was

submitted on September 19, November 13 and December 7, 1979; and March 20 and April 7, 1980 by DEQE.

(31) A temporary variance to the Provisions of Regulation 310 CMR 7.05, Sulfur Content of Fuels and Control Thereof, for Seaman Paper Company, Otter River. Submitted on March 20, 1980 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(32) A revision to Regulation 7.05(1) "Sulfur Content of Fuels and Control Thereof" for the Metropolitan Boston APCD submitted on November 27, 1979 by the Commissioner of the Department of Environmental Quality Engineering.

(33) A revision to Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) "Sulfur Content of Fuels and Control Thereof" for the Pioneer Valley Air Pollution Control District submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on March 2, 1979 and May 5, 1981.

(34) A revision to Regulation 7.05(1) "Sulfur Content of Fuels and Control Thereof" for the Metropolitan Boston APCD submitted on April 25, 1980 by the Commissioner of the Department of Environmental Quality Engineering.

(35) On January 5, 1981, the Acting Director of the Division of Air Quality Control, Massachusetts Department of Environmental Quality Engineering submitted a revision entitled "Appendix J Transportation Project Level Guidelines" relating to policy guidance on the preparation of air quality analysis for transportation projects.

(36) A comprehensive air quality monitoring plan, intended to meet requirements of 40 CFR part 58, was submitted by the Commissioner of the Department of Environmental Quality Engineering on January 28, 1980.

(37) A revision submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on September 12, 1980 adding a new regulation 310 CMR 7.19 "Interim Sulfur-in-Fuel Limitations for Fossil Fuel Utilization Facilities Pending Conversion to an Alternate Fuel or Implementation of Permanent Energy Conservation Measures."

(38) A variance of Regulation 310 CMR 7.05(1)(d)(2) "Sulfur Control of Fuels and Control Thereof" for the Metropolitan Boston Air Pollution Control District, submitted on November 25, 1980, by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(39) Revisions to meet the requirements of Part D and certain other sections of the Clean Air Act, as amended, for making a commitment to public transportation in the Boston urban region which were submitted on July 9, 1981 and on July 30, 1981.

(40) Regulations 310 CMR (14), (15), and (16), for paper, fabric, and vinyl surface coaters to meet the requirements of Part D for ozone were submitted by the Governor of Massachusetts on March 6, 1981.

(41) A revision to Regulation 7.05(1)(c) "Sulfur Content of Fuels Control Thereof for the Merrimack Valley Air Pollution Control District" allowing the burning of higher sulfur content fuel oil at Haverhill Paperboard Corporation, Haverhill.

(42) Regulation 310 CMR 7.18(2)(b), to allow existing surface coating lines regulated under 310 CMR 7.18 (4), (5), (6), (7), (10), (11), (12), (14), (15) and (16) to bubble emissions to meet the requirements of Part D for ozone was submitted by the Governor on March 6, 1981, and a letter clarifying state procedures was submitted on November 12, 1981. The emission limitations required by the federally-approved portion of 310 CMR 7.18 are the applicable requirements of the Massachusetts SIP for the purpose of section 113 of the Clean Air Act and shall be enforceable by EPA and by citizens in the same manner as other requirements of the SIP; except that emission limitations adopted by the state under and which comply with 310 CMR 7.18(2)(b) and the procedures set out in the letter of November 12, 1981 shall be the applicable requirements of the Massachusetts SIP in lieu of those contained elsewhere in 310 CMR 7.18 and shall be enforceable by EPA and by citizens.

(43) A revision to Regulation 7.05(1)(d) "Sulfur Content of Fuels and Control Thereof for the Metropolitan Boston Air Pollution Control District" allowing the burning of higher sulfur

content fuel oil at Eastman Gelatine Corporation, Peabody, submitted on September 24, 1981 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering.

(44) The Massachusetts Department of Environmental Quality Engineering submitted an updated VOC emissions inventory on September 3, 1981, and the procedures to annually update this inventory on November 4, 1981.

(45) A revision to Regulation 7.05(1)(e) "Sulfur Content of Fuels and Control Thereof for the Pioneer Valley Air Pollution Control District" allowing the burning of higher sulfur content fuel oil at the Holyoke Gas and Electric Department, Holyoke.

(46) A revision submitted on December 29, 1981 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of higher sulfur content fuel oil at the ATF Davidson Company, Northbridge, until December 1, 1983.

(47) Regulation 310 CMR 7.18(10) for metal coil coating was submitted on June 24, 1980 by the Commissioner of the Department of Environmental Quality Engineering, in order to meet Part D requirements for ozone.

(48) Regulations 310 CMR 7.18(11), Surface Coating of Miscellaneous Metal Parts and Products and (12), Graphic Arts—Rotogravure and Flexography with test methods; and (13) Perchloroethylene Dry Cleaning Systems without test methods, were submitted on July 21, 1981 and March 10, 1982 by the Department of Environmental Quality Engineering to meet Part D requirements for ozone attainment.

(49) A revision to Regulation 7.17 "Conversions to Coal" submitted by the Commissioner of the Massachusetts Department of Environmental Quality Engineering on January 22, 1982 specifying the conditions under which coal may be burned at the Holyoke Water Power Company, Mount Tom Plant, Holyoke, Massachusetts.

(50) [Reserved]

(51) A revision submitted on September 29, 1982 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of fuel oil having a sul-

fur content of 0.55 pounds per million Btu heat release potential at the Northeast Petroleum Corporation, Chelsea, Massachusetts.

(52) A revision submitted on September 28, 1982 by the Commissioner of the Massachusetts Department of Environmental Quality Engineering allowing the burning of higher sulfur content fuel oil at the Polaroid Corporation for a period of up to 30 months commencing on December 1, 1982.

(53)(i) Attainment plans for carbon monoxide and ozone submitted by the Department of Environmental Quality Engineering on September 9, November 2 and November 17, 1982; February 2, March 21, April 7, April 26 and May 16, 1983. These revisions amend Regulations 310 CMR 7.18 (3)-(7), (9)-(16); and add Regulation 310 CMR 7.18(17), 7.20 (1)-(14), and 540 CMR 4.00.

(ii) Regulation 310 CMR 7.18(3) for the surface coating of metal furniture submitted on September 9, 1982 as part of the attainment plan identified in § 52.1120(c)(53)(i), is added to the VOC surface coating bubble Regulation 310 CMR 7.18(2)(b) identified in § 52.1120(c)(42).

(iii) Regulation 310 CMR 7.18(13) for Perchloroethylene Dry Cleaning systems submitted on September 9, 1982 as part of the attainment plan identified in section 52.1120(53)(i), is amended by adding EPA test methods to the no action identified in 52.1120(48).

(54) On February 8, 1983, the Massachusetts Department of Environmental Quality Engineering submitted a source specific emission limit in the letter of approval to the Esleek Manufacturing Company, Inc., Montague, allowing the Company to burn fuel oil having a maximum sulfur content of 1.21 pounds per million Btu heat release potential provided the fuel firing rate does not exceed 137.5 gallons per hour.

(55) A revision to exempt the Berkshire Air Pollution Control District from Regulation 310 CMR 7.02(12)(b)2 was submitted on March 25, 1983 by Kenneth A. Hagg, Director of the Division of Air Quality Control of the Department of Environmental Quality Engineering.

(56) A revision to Regulation 310 CMR 7.02(12)(a)1(e) for petroleum liquid storage in external floating roof tanks submitted on December 2, 1983.

(57) Revisions to the State's narrative, entitled *New Source Regulations* on page 117 and 118, the regulatory definitions of BACT, NSPS and NESHAPS and Regulation 310 CMR 7.02 (2)(a)(6) and 7.02 (13), submitted by Anthony D. Cortese, Commissioner, in August, 1982 and received on September 9, 1982.

(58) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on June 7, 1991, November 13, 1992 and February 17, 1993.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection dated June 7, 1991, November 13, 1992 and February 17, 1993 submitting revisions to the Massachusetts State Implementation Plan.

(B) Amendments and additions to 310 CMR 7.00 submitted on June 7, 1991 and effective on April 12, 1991.

(C) Amendments and additions to 310 CMR 7.00 submitted on June 7, 1991 and effective on June 21, 1991.

(D) Addition of 310 CMR 7.24(4)(j) submitted on November 13, 1992 and February 17, 1993 and effective on February 12, 1993.

(ii) Additional materials.

(A) Nonregulatory portions of the state submittal.

(59) A revision submitted on May 3, 1983, allowing the burning of 2.2% sulfur content fuel oil at the Stanley Woolen Company, a facility in Uxbridge, Massachusetts for a period of up to 30 months, commencing on March 23, 1984.

(60) On May 27, 1982 and September 9, 1982 the Commissioner of the Massachusetts Department of Environmental Quality Engineering submitted a revised plan for new source review in nonattainment areas. The submittal included 310 CMR Appendix A, "Emission Offsets and Nonattainment Review," additions to 310 CMR 7.00, "General Definitions," and revisions to 310 CMR 7.02(2)(b)(4) and 7.02(2)(b)(5), "Plan Approval and Emission Limitations."

(61) A revision submitted on October 31, 1983, allowing the burning of 2.2% sulfur content fuel oil at the Reed and

Barton Silversmiths facility in Taunton, Massachusetts for a period of up to 30 months, commencing on March 23, 1984.

(62) A revision submitted on November 16, 1983 allowing the burning of 2.2% sulfur content fuel oil at the ATF Davidson Company in Northbridge, Massachusetts.

(63) A revision submitted on February 2, 1984, allowing the burning of 1.0% sulfur content fuel oil at The Biltrite Corporation facility in Chelsea, Massachusetts for a period of up to 30 months, commencing on June 15, 1984.

(64) A revision to the Ozone Attainment Plan was submitted by S. Russell Sylva, Commissioner of the Massachusetts Department of Environmental Quality Engineering on February 14, and May 22, 1985 to control emissions from gasoline tank trucks and bulk terminal vapor recovery systems.

(i) Incorporation by reference.

(A) Amendments to Regulations 310 CMR 7.00 and 7.02(12) (c) and (d), "Motor Vehicle Fuel Tank Trucks", adopted December 1984.

(B) The May 22, 1985 letter from Massachusetts DEQE, and the enforcement manual submitted and adopted on May 22, 1985, including Method 27, record form, potential leak points, major tank truck leak sources, test procedure for gasoline vapor leak detection procedure by combustible gas detector, instruction manual for Sentox 2 and Notice of Violation.

(65) A temporary variance to 310 CMR 7.05(1)(d)2 of "Sulfur Content of Fuels and Control Thereof for Metropolitan Boston Air Pollution Control District" submitted on January 6, 1984 to allow for the use of 2.2% sulfur content fuel oil in boiler unit 7 of the Boston Edison Company Mystic Station facility in Everett for thirty months commencing on September 25, 1984.

(66) Attainment and maintenance plans for lead, submitted on July 13 and August 17, 1984 by the Department of Environmental Quality Engineering.

(67) A revision submitted on July 11, 1984 allowing the burning of 2.2% sulfur content fuel oil at the James River Corporation Hyde Park Mill facility in Boston, Massachusetts for a period of

up to 30 months, commencing on September 25, 1984.

(68) A revision submitted on February 8 and October 23, 1985 allowing the burning of 2.2% sulfur content fuel oil at the Phillips Academy facility in Andover, Massachusetts for a period of up to 30 months, commencing on April 1, 1986.

(i) Incorporation by reference. (A) Letter from Richard J. Chalpin, Acting Regional Engineer, to Phillips Academy, dated December 27, 1984 allowing the temporary use of less expensive 2.2% sulfur fuel oil (for 30 months from the date of publication), the savings from which will be used to implement permanent energy conservation measures to reduce on-site consumption of petroleum products by at least 50,000 gallons per year (estimated 82,000 gallons per year). At the end of the temporary use period, Phillips Academy will return to the use of 1.0% sulfur fuel oil. The particulate emission rate for the facility will not exceed 0.15 lbs. per million Btu.

(B) These specific requirements of Regulation 310 CMR 7.19 were agreed to in a Statement of Agreement, signed February 19, 1985.

(C) Memorandum to Donald C. Squires from Bruce K. Maillet dated October 4, 1985; subject: Response to EPA questions regarding Phillips Academy, outlines the permanent energy conservation measures to be used.

(69) Revisions to federally approved regulations 310 CMR 7.02(2)(b) and 310 CMR 7.05(4) were submitted on December 3, 1985, January 31, 1986 and February 11, 1986 by the Department of Environmental Quality Engineering.

(i) Incorporation by reference.

(A) Regulation 310 CMR 7.02(2)(b), Department of Environmental Quality Engineering, Air Pollution Control, is corrected to include the word "major" before the word "modification".

(B) Regulation 310 CMR 7.05(4), Department of Environmental Quality Engineering, Air Pollution Control, Ash Content of Fuels.

(ii) Additional materials.

(A) The nonregulatory portions of the state submittals.

(70) A revision submitted on February 19, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Bos-

ton Housing Authority, Mary Ellen McCormick and Maverick Family Development facilities in Boston, Massachusetts for a period of up to 30 months, commencing on August 12, 1986.

(i) Incorporation by reference.

(A) Letters dated August 30, 1985 and July 11, 1985 for the Mary Ellen McCormick and Maverick Family Development Facilities, respectively, from Richard J. Chalpin, Acting Regional Engineer, allowing the temporary use of less expensive 2.2% sulfur fuel oil for 30 months from August 12, 1986, the savings from which will be used to implement permanent energy conservation measures to reduce the on-site consumption of the petroleum products. At the end of the temporary use period, the Boston Housing Authority, Mary Ellen McCormick and Maverick Family Development facilities will return to the use of 0.5% sulfur fuel oil. The particulate emission rate for these facilities will not exceed 0.12 lbs per million BTU.

(B) Statements of Agreement both signed October 28, 1985 by Doris Bunte, Administrator of Boston Housing Authority.

(C) Memorandum from Bruce K. Maillet to S. Russell Sylva dated January 9, 1986, subject: Decision Memo.

(71) A revision submitted on May 12, 1986 allowing the burning of 2.2% sulfur content fuel oil at the Boston Housing Authority, Mission Hill Extension Family Development facility in Boston, Massachusetts for a period of up to 30 months, commencing on November 25, 1986.

(i) Incorporation by reference.

(A) Letter dated March 5, 1986 for the Mission Hill Extension Family Development facility, from Richard J. Chalpin, Acting Regional Engineer, allowing the temporary use of less expensive 2.2% sulfur fuel oil (for 30 months from the date of publication), the savings from which will be used to implement permanent energy conservation measures to reduce the on-site consumption of petroleum products. At the end of the temporary use period, the Boston Housing Authority, Mission Hill Extension Family Development facility will return to the use of 0.5% sulfur fuel oil. The particulate emission

rate for this facility will not exceed 0.12 lbs per million Btu.

(B) Statements of Agreement signed April 4, 1986 by Doris Bunte, Administrator of Boston Housing Authority.

(C) Memorandum from Bruce K. Maillet to S. Russell Sylva dated April 18, 1986, subject: Decision Memo.

(72) Revisions involving regulations 310 CMR 7.02(2)(b) 4, 5, and 6; 7.02(12)(b)3; 7.02(12)(d); and 7.14 were submitted on November 21, 1986 and January 15, 1987, by the Department of Environmental Quality Engineering (DEQE).

(i) Incorporation by reference. (A) Regulation 310 CMR 7.02(2)(b) 4, 5, and 6 are amended and became effective on February 6, 1987.

(B) Regulation 310 CMR 7.02(12)(b)3 is deleted and became effective on February 6, 1987.

(C) Regulation 310 CMR 7.02(12)(d) is amended and became effective on February 6, 1987.

(D) Regulations 310 CMR 7.14 (2) and (3) are added and became effective on February 6, 1987.

(E) The Commonwealth of Massachusetts Regulation Filing document dated January 15, 1987 is provided and states that these regulatory changes became effective on February 6, 1987.

(ii) Additional materials. The non-regulatory portions of the state submittals.

(73) Revisions to the State Implementation Plan submitted by the Commonwealth of Massachusetts on February 21, February 25, and June 23, 1986.

(i) Incorporation by reference.

(A) A letter from the Commonwealth of Massachusetts Department of Environmental Quality Engineering dated February 21, 1986 and amendments to 310 CMR 7.00 and 310 CMR 7.18 of the Regulations for the control of Air Pollution in the Berkshire, Central Massachusetts, Merrimack Valley, Metropolitan Boston, Pioneer Valley and Southeastern Massachusetts Air Pollution Control Districts.

(B) A letter from the Commonwealth of Massachusetts Department of Environmental Quality Engineering (DEQE), dated June 23, 1986 and the Implementation Guidance, 310 CMR 7.18(18), Polystyrene Resin Manufacturing, dated February 1986.

(C) A Regulation Filing and Publication document from the Commonwealth of Massachusetts Department of Environmental Quality Engineering, dated February 25, 1986.

(ii) Additional materials.

(A) Nonregulatory portions of the state submittals.

(74) Revisions to the State Implementation Plan were submitted by the Commissioner of the Department of Environmental Quality Engineering on November 5, 1986 and December 10, 1986.

(i) Incorporation by reference.

(A) Letter dated November 5, 1986 from the Massachusetts Department of Environmental Quality Engineering (DEQE) submitting revisions to the State Implementation Plan for EPA approval.

(B) Letter from the Massachusetts DEQE dated December 10, 1986, which states that the effective date of Regulations 310 CMR 7.00, "Definitions" and 310 CMR 7.18(19), "Synthetic Organic Chemical Manufacture," is November 28, 1986.

(C) Massachusetts' Regulation 310 CMR 7.18(19) entitled, "Synthetic Organic Chemical Manufacture," and amendments to 310 CMR 7.00, "Definitions," effective in the Commonwealth of Massachusetts on November 28, 1986.

(ii) Additional materials.

(A) Nonregulatory portions of the State submittal.

(75) [Reserved]

(76) Revisions involving regulations 310 CMR 7.18(2)(e) and 7.18(17) submitted by the Department of Environmental Quality Engineering on September 20, 1988.

(i) Incorporation by reference.

(A) Amendment to Regulation 310 CMR 7.18(2)(e)—effective July 22, 1988.

(B) Amendments to Regulation 310 CMR 7.18(17)(d)—effective July 22, 1988.

(C) A Regulation Filing and Publication document from the Commonwealth of Massachusetts Department of Environmental Quality Engineering dated July 5, 1988 which states that the effective date of the regulatory amendments to 310 CMR 7.18(2)(e) and 310 CMR 7.18(17)(d), incorporated above, is July 22, 1988.

(ii) Additional materials.

(A) Nonregulatory portions of the state submittal.

(77) Revisions to federally approved regulation 310 CMR 7.05(1) submitted on July 18, 1984, April 17, 1985, March 16, 1987, and November 25, 1987 by the Department of Environmental Quality Engineering approving sulfur-in-fuel limitations for the following sources: American Fiber and finishing Company (formerly known as Kendall Company), Colrain; Erving Paper company, Erving; and Westfield River Paper Company, Russell.

(i) Incorporation by reference. (A) Letters dated October 14, 1987 for the American Fiber and Finishing Company, Erving Paper Company, and Westfield River Paper Company facilities from Stephen F. Joyce, Deputy Regional Environmental Engineer, Department of Environmental Quality Engineering.

(B) Statements of agreement signed November 6, 1987 by Schuyler D. Bush, Vice President of Erving Paper Company; 1987 by Francis J. Fitzpatrick, President of Westfield River Paper Company; and November 16, 1987 by Robert Young, Vice President of American Fiber and Finishing Company.

(78) Revisions to federally approved regulation 310 CMR 7.02(12) submitted on July 13, 1988, September 15, 1988, and April 12, 1989, by the Department of Environmental Quality Engineering, limiting the volatility of gasoline from May 1 through September 15, beginning 1989 and continuing every year thereafter, including any waivers to such limitations that Massachusetts may grant. In 1989, the control period will begin on June 30.

(i) Incorporation by reference.

(A) Massachusetts Regulation 310 CMR 7.02(12)(e), entitled, "gasoline Reid Vapor Pressure (RVP)," and amendments to 310 CMR 7.00, "Definitions," effective in the Commonwealth of Massachusetts on May 11, 1988.

(B) Massachusetts Emergency Regulation Amendment to 310 CMR 7.02(12)(e) 2.b entitled "gasoline Reid Vapor Pressure" effective in the Commonwealth of Massachusetts on April 11, 1989, with excerpt from the Manual for Promulgating Regulations, Office of the Secretary of State.

(79) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental

Protection on February 4, 1988 and July 16, 1989 which define and impose reasonably available control technology to control volatile organic compound emissions from Monsanto Chemical Company in Indian Orchard, Massachusetts.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Protection dated July 18, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) A final RACT Compliance Plan Conditional Approval issued to Monsanto Chemical Company by the Massachusetts Department of Environmental Protection, dated and effective June 20, 1989.

(ii) Additional materials. (A) Non-regulatory portions of the state submittal.

(80) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on July 18, 1989.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated July 18, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) Amendments to the Conditional Plan Approval dated and effective July 12, 1989 and the Conditional Plan Approval dated and effective October 7, 1985 imposing reasonably available control technology on Spalding Sports Worldwide in Chicopee, Massachusetts.

(81) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Quality Engineering on July 18, 1989.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Quality Engineering dated July 18, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) RACT Approval Addendum for Cranston Print Works Company, Webster Division Facility in Webster, Massachusetts dated and effective June 20, 1989.

(ii) Additional materials. Nonregulatory portions of the State submittal.

(82) Revision to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection August 8, 1989.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated August 8, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) Amended Conditional Plan Approval (SM-85-168-IF) dated and effective August 1, 1989 and an Amendment to the Amended Conditional Plan Approval (SM-85-168-IF Revision) dated and effective August 8, 1989 imposing reasonably available control technology on Duro Textile Printers, Incorporated in Fall River, Massachusetts.

(83) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on August 24, 1989 and October 16, 1989 regulating gasoline volatility.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Protection dated October 16, 1989 and a revision to the Massachusetts State Implementation Plan containing revised Massachusetts gasoline Reid Vapor Pressure regulation 310 CMR 7.24(5)(b)2, effective September 15, 1989.

(84) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on August 27, 1982, June 22, 1987, and December 27, 1989.

(i) *Incorporation by reference.*

(A) Letter from the Massachusetts Department of Environmental Protection dated August 27, 1982, submitting a revision to the Massachusetts State Implementation Plan.

(B) Amendments to 310 CMR 7.00, "Definitions" effective in the Commonwealth of Massachusetts on June 18, 1982 which add the definitions of the terms "stationary source" and "building, structure, facility, or installation."

(ii) *Additional materials.*

(A) Letter from the Massachusetts Department of Environmental Protection dated June 22, 1987 certifying that it did not rely on a dual definition in its attainment demonstration.

(B) Letter from the Massachusetts Department of Environmental Protection dated December 27, 1989 submitting additional assurances that it is making reasonable efforts to develop a complete and approve SIP.

(C) Nonregulatory portions of the submittal.

(85) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 28, 1989.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Protection dated November 28, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) A Plan Approval 4P89005 Correction dated and effective November 17, 1989 and the Amended Plan Approval, 4P89005 dated and effective October 19, 1989 imposing reasonably available control technology on Boston Whaler Inc., in Norwell, Massachusetts.

(ii) Additional materials. (A) Nonregulatory portions of the State submittal.

(86) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 28, 1989.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Protection dated November 28, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) A Plan Approval 4P89006 Correction dated and effective November 17, 1989 and the Amended Plan Approval (4P89006) dated and effective October 19, 1989 imposing reasonably available control technology on Boston Whaler Inc. in Rockland, Massachusetts.

(ii) Additional materials. (A) Nonregulatory portions of the State submittal.

(87) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 20, 1989.

(i) Incorporation by reference. (A) Letter from the Massachusetts Department of Environmental Protection dated November 20, 1989 submitting a revision to the Massachusetts State Implementation Plan.

(B) 2nd Amendment to the Final Approval/RACT Approval for the Philips Lighting Company dated November 2, 1989.

(ii) Additional materials. (A) Non-regulatory portions of the State submittal.

(88) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on June 13, 1990.

(i) *Incorporation by reference.* (A) Letter from the Massachusetts Department of Environmental Protection dated June 13, 1990 submitting a revision to the Massachusetts State Implementation Plan.

(B) An Amended Plan Approval dated and effective June 1, 1990 imposing reasonably available control technology on Acushnet Company, Titleist Golf Division, Plant A in New Bedford, Massachusetts.

(ii) *Additional materials.* (A) Non-regulatory portions of the State submittal.

(89) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on July 9, 1990.

(i) *Incorporation by reference.*

(A) Letter from the Massachusetts Department of Environmental Protection dated July 9, 1990 submitting a revision to the Massachusetts State Implementation Plan.

(B) An Amended Plan Approval dated and effective June 8, 1990 imposing reasonably available control technology on General Motors Corporation in Framingham, Massachusetts.

(ii) *Additional materials.*

(A) Nonregulatory portions of the State submittal.

(90) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on October 25, 1990 which define and impose RACT to control volatile organic compound emissions from Erving Paper Mills in Erving, Massachusetts.

(i) *Incorporation by reference.*

(A) Letter from the Massachusetts Department of Environmental Protection dated October 25, 1990 submitting a revision to the Massachusetts State Implementation Plan.

(B) A conditional final plan approval issued by the Massachusetts Department of Environmental Protection to Erving Paper Mills dated and effective October 16, 1990.

(91) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on April 22, 1991 which clarify the requirements of RACT to control volatile organic compound emissions from Erving Paper Mills in Erving, Massachusetts.

(i) *Incorporation by reference.* (A) Letter from the Massachusetts Department of Environmental Protection dated April 22, 1991 submitting a revision to the Massachusetts State Implementation Plan.

(B) A conditional final plan approval amendment issued by the Massachusetts Department of Environmental Protection to Erving Paper Mills dated and effective April 16, 1991. This amended conditional plan approval amends the October 16, 1990 conditional plan approval incorporated at paragraph (c)(90) of this section.

(92) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on August 17, 1989, June 7, 1991 and December 17, 1991.

(i) *Incorporation by reference.*

(A) Letters from the Massachusetts Department of Environmental Protection dated August 17, 1989 and June 7, 1991 submitting a revision to the Massachusetts State Implementation Plan.

(B) Portions of regulation 310 CMR 7.18(7) for automobile surface coating as submitted on August 17, 1989 effective in the Commonwealth of Massachusetts on September 15, 1989.

(C) Portions of regulation 310 CMR 7.18(7) for automobile surface coating as submitted on June 7, 1991 effective in the Commonwealth of Massachusetts on June 21, 1991.

(ii) *Additional materials.*

(A) A letter dated December 17, 1991 from the Massachusetts Department of Environmental Protection withdrawing the emission limit for the Primer-surfacer application from the June 7, 1991 submittal.

(B) Nonregulatory portions of state submittal.

(93) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on August 27, 1982, June 27, 1984, March 6, 1985, April 12, 1985, August 17, 1989, June 7, 1991 and December 17, 1991.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection dated August 27, 1982, April 12, 1985, August 17, 1989, and June 7, 1991, submitting revisions to the Massachusetts State Implementation Plan.

(B) Amendment to 310 CMR 7.18(2)(b) submitted on August 27, 1982 and effective on September 16, 1982.

(C) Addition of 310 CMR 7.00: Appendix B submitted on April 12, 1985 and effective on September 30, 1984.

(D) Amendments to portions of 310 CMR 7.00 submitted on August 17, 1989 and effective September 15, 1989.

(E) Amendments to portions of 310 CMR 7.00 submitted on June 7, 1991 and effective on April 12, 1991.

(F) Amendments to portions of 310 CMR 7.00 submitted on June 7, 1991 and effective on June 21, 1991.

(ii) Additional materials.

(A) A letter from the Massachusetts Department of Environmental Quality Engineering dated June 27, 1984 submitting 310 CMR 7.00: Appendix B.

(B) A letter from the Massachusetts Department of Environmental Quality Engineering dated March 6, 1985 submitting additional information on 310 CMR 7.00: Appendix B and referencing 310 CMR 7.18(2)(b).

(C) A letter dated December 17, 1991 from the Massachusetts Department of Environmental Protection withdrawing the emission limit for the Primer-surfacer application in 310 CMR 7.18(7)(b) from the June 7, 1991 submittal.

(D) Nonregulatory portions of state submittal.

(94) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on August 4, 1989, December 6, 1989 and March 23, 1990.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated August 4, 1989, December 6, 1989 and March 23, 1990 submitting a re-

vision to the Massachusetts State Implementation Plan.

(B) Massachusetts' Air Pollution Control Regulations 310 CMR 7.30 (excluding 310 CMR 7.30(8)(a)), and 310 CMR 7.31 entitled, "MB Massport/Logan Airport Parking Freeze" and "MB City of Boston/East Boston Parking Freeze" respectively, effective in the State of Massachusetts on 11/24/89, and technical amendments to that regulation submitted by the Massachusetts Department of Environmental Protection on March 23, 1990, effective 3/30/90.

(ii) Additional materials.

(A) Appendix 5D, Baseline and Future Case CO Compliance Modeling, dated June 1986.

(B) Policy Statement Regarding the Proposed Amendment to the Logan Airport Parking Freeze, dated November 14, 1988.

(95) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection of May 15, 1991.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated May 15, 1992 submitting a revision to the Massachusetts State Implementation Plan.

(B) Final Plan Approval No. 4P89051, dated and effective May 13, 1991 imposing reasonably available control technology on Dartmouth Finishing Corporation, New Bedford, Massachusetts.

(96) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on January 30, 1991.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated January 30, 1991 submitting a revision to the Massachusetts State Implementation Plan.

(B) Massachusetts Regulation 310 CMR 7.38, entitled "Certification of Tunnel Ventilation Systems in the Metropolitan Boston Air Pollution Control District," and amendment to 310 CMR 7.00, entitled "Definitions," effective in the Commonwealth of Massachusetts on January 18, 1991.

(97) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental

Protection on May 17, 1990, July 5, 1990, June 7, 1991, and April 21, 1992.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection, dated May 17, 1990 and June 7, 1991, submitting a revision to the Massachusetts State Implementation Plan.

(B) Definition of "motor vehicle fuel," "motor vehicle fuel dispensing facility," "substantial modification," and "vapor collection and control system," added to 310 CMR 7.00 and effective in the Commonwealth of Massachusetts on October 27, 1989.

(C) 310 CMR 7.24(6) "Dispensing of Motor Vehicle Fuel," effective in the Commonwealth of Massachusetts on October 27, 1989.

(D) Amendments to 310 CMR 7.24(6)(b) "Dispensing of Motor Vehicle Fuel" and to the definition of "substantial modification" in 310 CMR 7.00, effective in the Commonwealth of Massachusetts on June 21, 1991.

(E) Amendment to the definition of "motor vehicle fuel dispensing facility" in 310 CMR 7.00, effective in the Commonwealth of Massachusetts on April 12, 1991.

(ii) Additional materials.

(A) Letter from the Massachusetts Department of Environmental Protection, dated July 5, 1990, requesting the withdrawal of amendments to subsection 310 CMR 7.24(2)(c) which require Stage I vapor recovery in Berkshire County from the SIP revision package submitted on May 17, 1990.

(B) Letter from the Massachusetts Department of Environmental Protection, dated April 21, 1992, submitting an implementation policy statement regarding its Stage II program. This policy statement addresses the installation of California Air Resources Board (CARB) certified systems, Stage II testing procedures, and defects in State II equipment.

(C) Nonregulatory portions of the submittal.

(98) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 13, 1992, January 15, 1993, and February 17, 1993.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protec-

tion dated November 13, 1992, January 15, 1993, and February 17, 1993, submitting a revision to the Massachusetts State Implementation Plan.

(B) 310 CMR 7.24(6) "Dispensing of Motor Vehicle Fuel," effective in the State of Massachusetts on February 12, 1993.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(99) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 3, 1990 and August 26, 1992 which define and impose reasonably available control technology to control volatile organic compound emissions from S. Bent & Brothers in Gardner, Massachusetts.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated August 26, 1992 submitting a revision to the Massachusetts State Implementation Plan.

(B) Final Air Quality Approval RACT issued to S. Bent by the Massachusetts Department of Environmental Protection dated and effective May 22, 1992.

(ii) Additional materials

(A) Letter from the Massachusetts Department of Environmental Protection dated November 3, 1990 submitting a revision to the Massachusetts State Implementation Plan.

(B) Final Air Quality Approval RACT issued to S. Bent by the Massachusetts Department of Environmental Protection dated and effective October 17, 1990.

(C) Nonregulatory portions of the November 3, 1990 and August 26, 1992 state submittals.

(100) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on July 19, 1993.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated July 19, 1993 submitting a revision to the Massachusetts State Implementation Plan.

(B) Plan approval no. C-P-93-011, effective June 30, 1993, which contains emissions standards, operating conditions, and recordkeeping requirements

applicable to Nichols & Stone Company in Gardner, Massachusetts.

(ii) Additional materials.

(A) Letter dated October 27, 1993 from Massachusetts Department of Environmental Protection submitting certification of a public hearing.

(101) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on December 9, 1991.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated December 9, 1991 submitting a revision to the Massachusetts State Implementation Plan.

(B) Massachusetts Regulation 310 CMR 7.36, entitled "Transit System Improvements", Massachusetts Regulation 310 CMR 7.37, entitled "High Occupancy Vehicle Facilities", and amendments to 310 CMR 7.00, entitled "Definitions," effective in the Commonwealth of Massachusetts on December 6, 1991.

(102) [Reserved]

(103) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on November 15, 1993 and May 11, 1994, substituting the California Low Emission Vehicle program for the Clean Fuel Fleet program.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection dated November 15, 1993 and May 11, 1994, submitting a revision to the Massachusetts State Implementation Plan which substitutes the California Low Emission Vehicle program for the Clean Fuel Fleet program.

(B) A regulation dated and effective January 31, 1992, entitled "U Low Emission Vehicle Program", 310 CMR 7.40.

(C) Additional definitions to 310 CMR 7.00 "Definitions" (dated and effective 1/31/92) to carry out the requirements set forth in 310 CMR 7.40.

(ii) Additional materials.

(A) Additional nonregulatory portions of the submittal.

(104) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on March 31, 1994.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated March 31, 1994 submitting a revision to the Massachusetts State Implementation Plan.

(B) Final Plan Approval No. 4P92012, dated and effective March 16, 1994 imposing reasonably available control technology on Brittany Dyeing and Finishing of New Bedford, Massachusetts.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(105) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on June 6, 1994.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated June 6, 1994 submitting a revision to the Massachusetts State Implementation Plan.

(B) 310 CMR 7.02(12) "U Restricted Emission Status" effective in the Commonwealth of Massachusetts on February 25, 1994.

(ii) Additional materials.

(A) Nonregulatory portions of the submittal.

(106) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on June 28, 1990, September 30, 1992, and July 15, 1994.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection, dated June 28, 1990, submitting a revision to the Massachusetts State Implementation Plan.

(B) Letter from the Massachusetts Department of Environmental Protection, dated September 30, 1992, submitting a revision to the Massachusetts State Implementation Plan.

(C) Letter from the Massachusetts Department of Environmental Protection, dated July 15, 1994, submitting a revision to the Massachusetts State Implementation Plan.

(D) Regulation 310 CMR 7.12 entitled "Inspection Certification Record Keeping and Reporting" which became effective on July 1, 1994.

(ii) Additional materials.

(A) Nonregulatory portions of submittal.

(B) Letter from the Massachusetts Department of Environmental Protection, dated December 30, 1994, assuring EPA that the data elements noted in EPA's December 13, 1994 letter were being incorporated into the source registration forms used by Massachusetts emission statement program.

(ii) Additional materials.

(A) Nonregulatory portions of submittal.

(107) Massachusetts submitted the Oxygenated Gasoline Program on October 29, 1993. This submittal satisfies the requirements of section 211(m) of the Clean Air Act, as amended.

(i) Incorporation by reference.

(A) Letter dated October 29, 1993 which included the oxygenated gasoline program, amendments to the Massachusetts Air Pollution Control Regulations, 310 CMR 7.00, with an effective date of March 1, 1994, requesting that the submittal be approved and adopted as part of Massachusetts' SIP.

(ii) Additional materials.

(A) The Technical Support Document for the Redesignation of the Boston Area as Attainment for Carbon Monoxide submitted on December 12, 1994.

(108) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on January 9, 1995.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated January 9, 1995 submitting a revision to the Massachusetts State Implementation Plan.

(B) The following portions of the Rules Governing the Control of Air Pollution for the Commonwealth of Massachusetts effective on November 18, 1994: 310 Code of Massachusetts Regulations Section 7.25 *U Best Available Controls for Consumer and Commercial Products*.

(109) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on January 9, 1995.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection, dated January 9, 1995, submitting a revision to the Massachusetts State Implementation Plan.

(B) The following portions of the Rules Governing the Control of Air Pollution for the Commonwealth of Massachusetts effective on December 16, 1994: 310 Code of Massachusetts Regulations Section 7.18(28) *Automotive Refinishing*.

(110) [Reserved]

(111) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on July 30, 1993.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated July 30, 1993 submitting a revision to the Massachusetts State Implementation Plan.

(B) Massachusetts Air Pollution Control Regulation 310 CMR 7.33, entitled "City of Boston/South Boston Parking Freeze," and the following amendments to 310 CMR 7.00, entitled "Definitions," which consist of adding or amending four definitions; motor vehicle parking space; off-peak parking spaces; remote parking spaces; and restricted use parking, effective in the Commonwealth of Massachusetts on April 9, 1993.

(112) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on February 9, 1994, and April 14, 1995, concerning emissions banking, trading, and averaging.

(i) Incorporation by reference.

(A) Letters from the Massachusetts Department of Environmental Protection dated February 9, 1994, and March 29, 1995, submitting revisions to the Massachusetts State Implementation Plan.

(B) Regulations 310 CMR 7.00 Appendix B(1); 310 CMR 7.00 Appendix B(2); 310 CMR 7.00 Appendix B(3), except 310 CMR 7.00 Appendix B(3)(e)5.h; and, 310 CMR 7.00 Appendix B(5); effective on January 1, 1994. Also, regulations 310 CMR 7.00 Appendix B(4); 310 CMR 7.00 Appendix B(6); 310 CMR 7.18(2)(b); 310 CMR 7.19(2)(d); 310 CMR 7.19(2)(g); and, 310 CMR 7.19(14); effective on January 27, 1995.

(ii) Additional materials.

(A) Letter and attachments from the Massachusetts Department of Environmental Protection dated February 8,

1996, submitting supplemental information concerning the demonstration of balance between credit creation and credit use.

(113) A revision to the Massachusetts SIP regarding ozone monitoring. The Commonwealth of Massachusetts will modify its SLAMS and its NAMS monitoring systems to include a PAMS network design and establish monitoring sites. The Commonwealth's SIP revision satisfies 40 CFR 58.20(f) PAMS requirements.

(i) Incorporation by reference.

(A) Massachusetts PAMS Network Plan, which incorporates PAMS into the ambient air quality monitoring network of State or Local Air Monitoring Stations (SLAMS) and National Air Monitoring Stations (NAMS).

(ii) Additional material.

(A) Letter from the Massachusetts Department of Environmental Protection dated December 30, 1993 submitting a revision to the Massachusetts State Implementation Plan.

(114) The Commonwealth of Massachusetts' March 27, 1996 submittal for an enhanced motor vehicle inspection and maintenance (I/M) program, as amended on June 27, 1996 and July 29, 1996, and November 1, 1996, is conditionally approved based on certain contingencies, for an interim period to last eighteen months. If the Commonwealth fails to start its program according to schedule, or by November 15, 1997 at the latest, this conditional approval will convert to a disapproval after EPA sends a letter to the state. If the Commonwealth fails to satisfy the following conditions within 12 months of this rulemaking, this conditional approval will automatically convert to a disapproval as explained under section 110(k) of the Clean Air Act.

(i) The conditions for approvability are as follows:

(A) The time extension program as described and committed to in the March 3, 1997 letter from Massachusetts must be further defined and submitted to EPA as a SIP revision by no later than one year after the effective date of this interim approval. Another program which meets the requirements of 40 CFR 51.360 (Waivers and Compliance via Diagnostic Inspection) and

provides for no more than a 1% waiver rate would also be approvable.

(B) Other major deficiencies as described in the proposal must also be corrected in 40 CFR 51.351 (Enhanced I/M Performance Standard), § 51.354 (Adequate Tools and Resources), § 51.357 (Test Procedures and Standards), § 51.359 (Quality Control), and § 51.363 (Quality Assurance). The Commonwealth, committed in a letter dated March 3, 1997 to correct these deficiencies within one year of conditional interim approval by EPA.

(ii) In addition to the above conditions for approval, the Commonwealth must correct several minor, or de minimus deficiencies related to CAA requirements for enhanced I/M. Although satisfaction of these deficiencies does not affect the conditional approval status of the Commonwealth's rulemaking granted under the authority of section 110 of the Clean Air Act, these deficiencies must be corrected in the final I/M SIP revision prior to the end of the 18-month interim period granted under the National Highway Safety Designation Act of 1995:

(A) The SIP lacks a detailed description of the program evaluation element as required under 40 CFR 51.353;

(B) The SIP lacks a detailed description of the test frequency and convenience element required under 40 CFR 51.355;

(C) The SIP lacks a detailed description of the number and types of vehicles included in the program as required under 40 CFR 51.356;

(D) The SIP lacks a detailed information concerning the enforcement process, and a commitment to a compliance rate to be maintained in practice required under 40 CFR 51.361.

(E) The SIP lacks the details of the enforcement oversight program including quality control and quality assurance procedures to be used to insure the effective overall performance of the enforcement system as required under 40 CFR 51.362;

(F) The SIP lacks a detailed description of procedures for enforcement against contractors, stations and inspectors as required under 40 CFR 51.364;

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(G) The SIP lacks a detailed description of data analysis and reporting provisions as required under 40 CFR 51.366;

(H) The SIP lacks a public awareness plan as required by 40 CFR 51.368; and

(I) The SIP lacks provisions for notifying motorists of required recalls prior to inspection of the vehicle as required by 40 CFR 51.370.

(iii) EPA is also approving this SIP revision under section 110(k), for its strengthening effect on the plan.

(115)–(117) [Reserved]

(118) Revisions to the State Implementation Plan submitted by the Massachusetts Department of Environmental Protection on December 19, 1997.

(i) Incorporation by reference.

(A) Letter from the Massachusetts Department of Environmental Protection dated December 19, 1997 submitting a revision to the Massachusetts State Implementation Plan.

(B) Regulation 310 CMR 7.27, NO_x Allowance Program, effective on June 27, 1997.

(ii) Additional materials.

(A) Letter from the Massachusetts Department of Environmental Protection dated March 9, 1998 clarifying the program implementation process.

[37 FR 10871, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1120, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 64 FR 29569, June 2, 1999, § 52.1120 was amended by adding paragraph (c)(118), effective Aug. 2, 1999.

§ 52.1121 Classification of regions.

The Massachusetts plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Metropolitan Boston Intrastate	I	I	III	I	I
Merrimack Valley-Southern New Hampshire Interstate	I	I	III	III	III
Metropolitan Providence Interstate	I	I	III	III	III
Central Massachusetts Intrastate	I	II	III	III	III
Hartford-New Haven-Springfield Interstate	I	I	III	I	I
Berkshire Intrastate	II	III	III	III	III

[37 FR 10872, May 31, 1972, as amended at 39 FR 16346, May 8, 1974; 45 FR 61303, Sept. 16, 1980]

§ 52.1122 [Reserved]

§ 52.1123 Approval status.

(a) With the exceptions set forth in this subpart the Administrator approves the Massachusetts plan as identified in § 52.1120 for attainment and maintenance of the national standards under section 110 of the Clean Air Act. Furthermore, the Administrator finds that the plan identified in § 52.1120 satisfies all requirements of Part D, Title I of the Clean Air Act as amended in 1977, except as noted below. In addition, continued satisfaction of the requirements of Part D of the ozone portion of the SIP depends on the adoption and submittal of RACT requirements by July 1, 1980 for the sources covered by CTGs issued between January 1978 and January 1979 and adoption and submittal by each subsequent January of

additional RACT requirements for sourcecovered by CTGs issued by the previous January.

(b) The above requirements for continued satisfaction of Part D are fulfilled by Massachusetts Regulation 310 CMR 7.18(17) and a narrative commitment to review CTG IIs issued in the future. Both were submitted on September 9, 1982. Additionally, each individual RACT determination made under 310 CMR 7.18(17) will be submitted as a SIP revision to incorporate the limitation into the SIP, and DEQE will propose regulations for CTG III category controls if the controls are appropriate for the State.

[45 FR 61303, Sept. 16, 1980, as amended at 48 FR 51485, Nov. 9, 1983]

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§ 52.1124 Review of new sources and modifications.

(a) Revisions to Regulation 310 CMR 7.02(2)(d) submitted on March 30, 1979 are disapproved because they do not satisfy the requirements of § 51.161.

[39 FR 7281, Feb. 25, 1974, as amended at 40 FR 47495, Oct. 9, 1975; 45 FR 2043, Jan. 10, 1980; 51 FR 40677, Nov. 7, 1986; 60 FR 33923, June 29, 1995]

§ 52.1125 Emission inventories.

(a) The Governor's designee for the Commonwealth of Massachusetts submitted the 1990 base year emission inventories for the Springfield nonattainment area and the Massachusetts portion of the Boston-Lawrence-Worcester ozone nonattainment area on November 13, 1992 as a revision to the State Implementation Plan (SIP). Revisions to the inventories were submitted on November 15, 1993, and November 15, 1994, and March 31, 1997. The 1990 base year emission inventory requirement of section 182(a)(1) of the Clean Air Act, as amended in 1990, has been satisfied for these areas.

(b) The inventories are for the ozone precursors which are volatile organic compounds, nitrogen oxides, and carbon monoxide. The inventories covers point, area, non-road mobile, on-road mobile, and biogenic sources.

(c) Taken together, the Springfield nonattainment area and the Massachusetts portion of the Boston-Lawrence-Worcester nonattainment area encompass the entire geographic area of the State. Both areas are classified as serious ozone nonattainment areas.

[62 FR 37514, July 14, 1997]

§ 52.1126 Control strategy: Sulfur oxides.

(a) The revisions to the control strategy resulting from the modification to the emission limitations applicable to the sources listed below or resulting from the change in the compliance date for such sources with the applicable emission limitation is hereby approved. All regulations cited are air pollution control regulations of the State, unless otherwise noted. (See § 52.1125 for compliance schedule approvals and disapprovals pertaining to

one or more of the sources listed below.)

Source	Location	Regulation involved	Date of adoption
Deerfield Specialty Papers, Inc.	Monroe Bridge	5.1.2	Oct. 17, 1972.
Hollingsworth & Vose Co.	East Walpole ..	5.1.2	June 29, 1972.
Pepperell Paper Co.	Pepperell	5.1.2	Nov. 29, 1972.
Stevens Paper Mills, Inc.	Westfield and South Hadley.	5.1.2	July 27, 1972.
Tileston and Hollingsworth Co.	Hyde Park	5.1.1	Nov. 21, 1972.
All sources in Berkshire APCD.	.....	5.1.2	Do.

(b)(1) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Pioneer Valley Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content.)

Deerfield Specialty Paper Company, Monroe Bridge; Amherst College, Amherst; Brown Company, Holyoke; Monsanto Polymer and Petrochemical Company, Building 21, Springfield; Monsanto Polymer and Petrochemical Company, Building 49, Springfield; Mount Holyoke College, South Hadley; Uniroyal Tire Inc., Chicopee; Smith College, Northampton; West Springfield Generating Station, Western Massachusetts Electric, West Springfield.

Pioneer Valley APCD

Belchertown State School, Belchertown
James River Graphics (formerly Scott Graphics), south Hadley (conditioned upon operation of the boilers on only one of the two stacks at any given time, and operation being so restricted in the source's operating permit granted by the Massachusetts Department of Environmental Quality Engineering.)
Massachusetts Mutual Life Insurance Company, Springfield.
Northampton State Hospital, Northampton.
Springfield Technical Community College, Springfield.
Stanley Home Products, Easthampton.

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Stevens Elastomeric Industries,
Easthampton.
Ware Industries, Ware.
Westfield State College, Westfield.
Westover Air Force Base (Building 1411),
Chicopee.
University of Massachusetts, Amherst.
Mount Tom Generating Station, Holyoke.

(2) Massachusetts Regulation 310 CMR 7.05(1)(e)(3) for Pioneer Valley, as submitted on March 2, 1979, and May 5, 1981, which allows sources in Hampshire and Franklin Counties rated at less than 100 million Btu per hour heat input capacity to burn fuel oil having a sulfur content of not more than 1.21 pounds per million Btu heat release potential (approximately equivalent to 2.2% sulfur content) is approved for all such sources with the exception of:

Strathmore Paper Co., Montague.

(c) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) which allows a relaxation of sulfur in fuel limitations for the Central Massachusetts Air Pollution Control District, except in the City of Worcester, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million BTU heat release potential (approximately equivalent to 1 percent sulfur content fuel oil).

American Optical Company, Southbridge,
Wyman Gordon Company, Grafton, James
River—Massachusetts Inc., Fitchburg,
Fitchburg Paper Company, Fitchburg (only
boilers which emit through the 55 meter
stack).

Central Massachusetts APCD

Borden, Inc., Chemical Division, Leominster
(conditioned upon first completing construction of new stack and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.).
Gardner State Hospital, Gardner.
Grafton State Hospital, Grafton.
Haywood-Shuster Woolen, E. Douglas.
Cranston Prints Works, Webster.
Baldwinville products, Templeton—(conditioned upon first completing construction of new stack, and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.).

partment of Environmental Quality Engineering.).

(d) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Southeastern Massachusetts Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content.)

New England Power Company, Brayton
Point Station, Somerset; Montaup Electric
Company, Somerset Station, Somerset
(limited to 75% capacity while burning
higher sulfur fuels.) Canal Electric Company,
Sandwich; Taunton Municipal Lighting
Plant, Somerset Avenue, Taunton.

Southeastern Massachusetts APCD

L&O Realty Trust, Taunton.
New Bedford Gas and Electric, New Bedford.
Texas Instruments, Attleboro.
Arkwright Finishing Incorporated, Fall
River.
Foster Forbes Glass Company, Milford.
Owens Illinois Inc., Mansfield.
Harodite Finishing Corporation, Dighton—
(conditioned upon prior removal of rain-
caps from stack, and certification of completion to the EPA by the Massachusetts Department of Environmental Quality Engineering.).
Polaroid Corporation, New Bedford.

(e) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Merrimack Valley Air Pollution Control District, excluding the City of Lawrence and the towns of Andover, Methuen, and North Andover, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulates that sources are required to burn residual fuel oil having a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately equivalent to 1 percent sulfur content).

§ 52.1127

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Hollingsworth and Vose, West Groton; James River Paper, Pepperell; Haverhill Paperboard Corp., Haverhill. Residual oil burning facilities less than 100 million Btu's per hour heat input capacity, except in the City of Lawrence, and Towns of Andover, Methuen, and North Andover.

(f) Massachusetts Regulation 310 CMR 7.05(1) (formerly Regulation 5.1) for the Metropolitan Boston Air Pollution Control District, which allows a relaxation of sulfur in fuel limitations under certain conditions, is approved for the following sources. All other sources remain subject to the previously approved requirements of Regulation 7.05(1) which stipulate that sources in Arlington, Belmont, Boston, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Newton, Somerville, Waltham, and Watertown (the Boston Core Area) are limited to burn fuel with a sulfur content not in excess of 0.28 pounds per million Btu heat release potential (approximately 0.5% sulfur content residual oil; sources in the remaining APCD are limited to burn fuel with a sulfur content not in excess of 0.55 pounds per million Btu heat release potential (approximately 1% sulfur content residual oil).

Metropolitan Boston APCD

General Motors, Framingham.
Polaroid Corporation, Norwood.
Bird and Son, East Walpole.
Massachusetts Correctional Institute, South Walpole.

Bridgewater State College, Bridgewater.
Hanscom Field, Bedford.
Wellesley College, Wellesley.
National Tanning and Trading, Peabody.
General Tire, Reading.
General Food Corporation, Atlantic Gelatin, Woburn.
Massachusetts Correctional Institute, Bridgewater.
W. R. Grace, Acton.
Massachusetts Correctional Institute, Concord.
Danvers State Hospital, Danvers.
New England Power Company, Salem Harbor Station, Salem; Boston Edison, L Street, New Boston Station, Boston; Boston Edison, Mystic Station, Everett; Ventron Corporation, Danvers; General Electric, Lynn River Works, Lynn; U.S.M. Corporation, Beverly; Medfield State Hospital, Medfield; General Dynamics, Quincy; Hollingsworth and Vose, East Walpole; Kendal Company, Walpole; Dennison Manufacturing Company, Framingham.
Procter and Gamble Company, Quincy.
Natick Paperboard Corporation, Natick.

[38 FR 9089, Apr. 10, 1973]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1126, see the List of CFR Sections Affected in the Finding Aids section of this volume.

§ 52.1127 Attainment dates for national standards.

The following table presents the latest dates by which the national standards are to be attained. The table reflects the new information presented in the approved Massachusetts plan.

Nonattainment areas	TSP		SO ₂		NO ₂	CO	O ₃
	Primary	Secondary	Primary	Secondary			
Metropolitan Boston:							
Intrastate			c	g	b		h
Boston						h	
Danvers	a	g					
Cambridge	a	g				h	
Framingham	a	g					
Lynn	a	g					
Marblehead	a	g					
Norwood	a	g					
Medford	a	g				h	
Peabody	a	g					
Quincy	a	g				h	
Revere	a	g					
Swampscott	a	g					
Waltham	a	g				h	
Remainder AQCR	a	b				b	
Merrimack Valley-Southern:							
NH Interstate			c	c	b		h
Lowell						h	
Haverhill	a	g					
Lawrence	a	g					
Remainder AQCR	a	b				b	

Nonattainment areas	TSP		SO ₂		NO ₂	CO	O ₃
	Primary	Sec- ondary	Primary	Sec- ondary			
Metropolitan Providence:							
Interstate			c	c	b	b	h
Fall River	a	g					
Remainder of AQCR	a	b					
Central Mass Intrastate			a	c	b		h
Worcester	f	g				h	
Athol	a	g					
Fitchburg	a	g					
Remainder of AQCR	a	b				b	
Hartford-New Haven Springfield:							
Interstate			a	c	b		h
Springfield	a	g				h	
Remainder AQCR	a	b				b	
Berkshire Intrastate			a	b	b	b	h
Adams	a	g					
North Adams	a	g					
Pittsfield	a	g					
Remainder AQCR	a	b					

NOTE: Footnotes which are underlined are prescribed by the Administrator because the plan did not provide a specific date or the date provided was not acceptable.

a. Air quality levels presently below primary standards or area is unclassifiable.

b. Air quality levels presently below secondary standards or area is unclassifiable.

c. May 31, 1975.

d. August 1, 1978.

e. May 31, 1977.

f. January 1, 1979.

g. 18-month extension for plan submittal granted, attainment date not yet proposed.

h. December 31, 1987.

Sources subject to plan requirements and attainment dates established under section 110(a)(2)(A) prior to the 1977 Clean Air Act Amendments remain obligated to comply with those requirements by the earlier deadlines. The earlier attainment dates are set out at 40 CFR 52.1127 (1978).

[45 FR 61303, Sept. 16, 1980; 46 FR 33524, June 30, 1981]

§ 52.1128 Transportation and land use controls.

(a) For purposes of this subpart, the definitions herein are applicable.

(b) Definitions:

(1) *Register* as applied to a motor vehicle, means the licensing of such motor vehicle for general operation on public roads or highways by the appropriate agency of the Federal Government or by the Commonwealth.

(2) *Boston Intrastate Region* means the Metropolitan Boston Intrastate Air Quality Control Region, as defined in § 81.19 of this part.

(3) [Reserved]

(4) *Freeze area* means that portion of the Boston Intrastate Region enclosed within the following boundaries:

The City of Cambridge; that portion of the City of Boston from the Charles River and the Boston Inner Harbor on north and northeast of pier 4 on Northern Avenue; by the east side of pier 4 to B Street, B Street extension of B Street to B Street, B Street, Dorchester Avenue, and the Preble Street to Old Colony Avenue, then east to the

water, then by the water's edge around Columbia Point on various courses generally easterly, southerly, and westerly to the center of the bridge on Morrissey Boulevard, on the east and southeast; then due west to Freeport Street, Freeport Street, Dorchester Avenue, Southeast Expressway, Southamptton Street, Reading Street, Island Street, Chadwick Street, Carlow Street, Albany Street, Hunneman Street, Madison Street, Windsor Street, Cabot Street, Ruggles Street, Parker Street, Ward Street, Huntington Avenue, Brookline-Boston municipal boundary, Mountford Street to the Boston University Bridge on the southwest and west; and the Logan International Airport. Where a street or roadway forms a boundary the entire right-of-way of the street is within the freeze area as defined.

(5) *Boston proper* means that portion of the City of Boston, Massachusetts, contained within the following boundaries: The Charles River and Boston Inner Harbor on the northwest, north, and northeast, the Inner Harbor, Fort

Point Channel, Fitzgerald Expressway, and the Massachusetts Avenue Expressway access branch on the east and southeast, and Massachusetts Avenue on the west. Where a street or roadway forms a boundary, the entire right-of-way of the street is within the Boston proper area as here defined.

(6) *Regional Administrator* means the Administrator of Region I of the U.S. Environmental Protection Agency.

(7) *Governor* means the Governor of the Commonwealth or the head of such executive office of the Commonwealth as the Governor shall designate as responsible for carrying out specific provisions of this subpart.

(8) *Commonwealth* means the Commonwealth of Massachusetts.

[40 FR 25161, June 12, 1975]

§§ 52.1129—52.1130 [Reserved]

§ 52.1131 Control strategy: Particulate matter.

(a) Revisions to the following regulations submitted on March 30, 1979 are disapproved:

(1) Regulation 310 CMR 7.02(8), Table 2, new facilities greater than 250 million Btu/hr input burning solid fuel.

(2) Regulation 310 CMR 7.02(9), Table 5.

[45 FR 2044, Jan. 10, 1980]

§ 52.1132 Control strategy: Carbon Monoxide.

(a) Approval—On November 13, 1992, the Massachusetts Department of Environmental Protection submitted a revision to the carbon monoxide State Implementation Plan for the 1990 base year emission inventory. The inventory was submitted by the State of Massachusetts to satisfy Federal requirements under section 182(a)(1) of the Clean Air Act as amended in 1990, as a revision to the carbon monoxide State Implementation Plan.

(i) Approval—On December 12, 1994, the Massachusetts Department of Environmental Protection submitted a request to redesignate the Boston Area carbon monoxide nonattainment area to attainment for carbon monoxide. As part of the redesignation request, the State submitted a maintenance plan as required by 175A of the Clean Air Act, as amended in 1990. Elements of the

section 175A maintenance plan include a base year (1993 attainment year) emission inventory for carbon monoxide, a demonstration of maintenance of the carbon monoxide NAAQS with projected emission inventories to the year 2010 for carbon monoxide, a plan to verify continued attainment, a contingency plan, and an obligation to submit a subsequent maintenance plan revision in 8 years as required by the Clean Air Act. If the area records a violation of the carbon monoxide NAAQS (which must be confirmed by the State), Massachusetts will implement one or more appropriate contingency measure(s) which are contained in the contingency plan. The menu of contingency measures includes an enhanced motor vehicle inspection and maintenance program and implementation of the oxygenated fuels program. The redesignation request and maintenance plan meet the redesignation requirements in sections 107(d)(3)(E) and 175A of the Act as amended in 1990, respectively. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Massachusetts Carbon Monoxide State Implementation Plan for the above mentioned area.

[61 FR 2923, Jan. 30, 1996]

§ 52.1133 [Reserved]

§ 52.1134 Regulation limiting on-street parking by commuters.

(a) *On-street parking* means parking a motor vehicle on any street, highway, or roadway, except for legal stops within designated loading zones or areas defined for loading purposes, at or before intersections, as caution, safety and emergencies require, whether or not a person remains in the vehicle.

(b) Commencing on or before June 30, 1974, the Commonwealth, the City of Boston, the City of Cambridge, and administrative bodies of any of them having jurisdiction over any streets, highways, or roadways within the City of Cambridge or Boston proper, and the principal officials and administrative bodies thereof having responsibility over parking on such streets, highways, or roadways, shall adopt all necessary administrative and enforcement procedures and regulations to effect a

prohibition of on-street parking within Boston proper between the hours of 7 a.m. and 9:30 a.m., and within the City of Cambridge between the hours of 7 a.m. and 10 a.m., except Saturdays, Sundays and legal holidays. The regulations shall state that violation of the prohibition shall be punishable by a fine of not less than \$15. The City of Boston shall at a minimum eliminate 50 percent of on-street parking during the hours specified by January 1, 1976; 66⅔ percent by September 1, 1976; and 100 percent by March 1, 1977. The City of Cambridge shall at a minimum eliminate 33⅓ percent of on-street parking during the hours specified by September 30, 1974; 66⅔ percent by July 1, 1975; and 100 percent by March 1, 1977. Any other affected entity shall at a minimum eliminate 33⅓ percent of such parking during the hours of 7 a.m. to 10 a.m. by January 1, 1976; 66⅔ percent by September 1, 1976, and 100 percent by March 1, 1977.

(c) The following classes of vehicles shall be exempt from the requirements of this section, provided that on-street parking by such vehicles is in compliance with local and state regulations:

(1) Vehicles owned by residents of that portion of Boston included within Boston proper that are registered in Boston and display a resident parking sticker for that area issued by the City of Boston;

(2) Vehicles owned by residents of Cambridge that are registered in and parked within Cambridge and display an appropriate parking sticker issued by the City of Cambridge;

(3) Vehicles owned and operated by handicapped persons with HP license plates; and

(4) Vehicles registered as "commercial vehicles" by the Commonwealth and displaying appropriate license plates.

(d) On or before June 30, 1974, no owner or operator of a motor vehicle shall park, or permit the on-street parking of, said vehicle within Cambridge or Boston proper except in conformity with the provisions of this section and the measures implementing it.

(e) The Governor and the chief executive of any other governmental entity on which obligations are imposed by paragraph (b) of this section should, on

or before April 15, 1974, submit to the Regional Administrator for his approval a detailed statement of the legal and administrative steps selected to effect the prohibition provided for in paragraphs (b) and (d) of this section, and a schedule of implementation consistent with the requirements of this section. Such schedule shall include as a minimum the following:

(1) Designation of one or more agencies responsible for the administration and enforcement of the program;

(2) The procedures by which the designated agency will enforce the prohibition provided for in paragraphs (b) and (d) of this section;

(3) The procedures by which vehicles exempt from the requirements of this section will be marked; and

(4) A map showing which streets will be subject to the ban according to the schedule of implementation.

(f) Upon a finding that substantial hardship would otherwise be experienced by employees of employment facilities located in Cambridge, the Director of Traffic and Parking of the City of Cambridge may issue special parking stickers to such employees which shall entitle vehicles to park during the hours of the ban. Such stickers shall be valid only for those streets and areas of streets clearly identified on the face of such stickers, shall be issued with preference being given to carpools and vanpools and shall be subject to immediate revocation if the vehicle is cited for a parking violation on a street or area other than those designated. A list of all persons receiving such stickers shall be sent to the Regional Administrator on or before July 1 of each year.

(g) The ban shall not apply to any street space which is subject to metered parking with a maximum allowable time limit of one hour.

[40 FR 25162, June 12, 1975]

§ 52.1135 Regulation for parking freeze.

(a) Definitions:

(1) The phrase *to commence construction* means to engage in a continuous program of on-site construction including site clearance, grading, dredging, or land filling specifically designed for

a parking facility in preparation for the fabrication, erection, or installation of the building components of the facility. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or modification program is continuous.

(2) The phrase *to commence modification* means to engage in a continuous program of on-site modification including site clearance, grading, dredging, or land filling in preparation for a specific modification of the parking facility.

(3) The phrase *commercial parking space* means a space used for parking a vehicle in a commercial parking facility.

(4) [Reserved]

(5) *Commercial parking facility* (also called *facility*) means any lot, garage, building or structure, or combination or portion thereof, on or in which motor vehicles are temporarily parked for a fee, excluding (i) a parking facility, the use of which is limited exclusively to residents (and guests of residents) of a residential building or group of buildings under common control, and (ii) parking on public streets.

(6) *Freeze* means to maintain at all times after October 15, 1973, the total quantity of commercial parking spaces available for use at the same amounts as were available for use prior to said date; *Provided*, That such quantity may be increased by spaces the construction of which commenced prior to October 15, 1973, or as specifically permitted by paragraphs (n), (p) and (q) of this section; provided further that such additional spaces do not result in an increase of more than 10 percent in the total commercial parking spaces available for use on October 15, 1973, in any municipality within the freeze area or at Logan International Airport ("Logan Airport"). For purposes of the last clause of the previous sentence, the 10 percent limit shall apply to each municipality and Logan Airport separately.

(b) [Reserved]

(c) There is hereby established a freeze, as defined by paragraph (a)(6) of this section, on the availability of com-

mercial parking facilities in the freeze area effective October 15, 1973. In the event construction in any municipality, commenced prior to October 15, 1973, results in a number of spaces which exceeds the 10 percent limit prescribed by paragraph (a)(6) of this section, then the Governor shall immediately take all necessary steps to assure that the available commercial spaces within such municipality shall be reduced to comply with the freeze. In the event that such limit is exceeded at Logan Airport, then the provisions of paragraph (m) of this section shall apply.

(d) [Reserved]

(e) After August 15, 1973, no person shall commence construction of any commercial parking facility or modification of any such existing facility in the freeze area unless and until he has obtained from the Governor or from an agency approved by the Governor a permit stating that construction or modification of such facility will be in compliance with the parking freeze established by paragraph (c) of this section. This paragraph shall not apply to any proposed parking facility for which a general construction contract was finally executed by all appropriate parties on or before August 15, 1973.

(f) The Governor shall notify the Regional Administrator in writing within 10 days of approval of any agency pursuant to paragraph (e) of this section. In order for any agency to be approved by the Governor for purposes of issuing permits pursuant to paragraph (e) of this section, such agency shall demonstrate to the satisfaction of the Governor that:

(1) Requirements for permit application and issuance have been established. Such requirements shall include but not be limited to a condition that before a permit may be issued the following findings of fact or factually supported projections must be made:

(i) The location of the facility; and

(ii) The total motor vehicle capacity before and after the proposed construction or modification of the facility.

(2) Criteria for issuance of permits have been established and published. Such criteria shall include, but not be limited to:

(i) Full consideration of all facts contained in the application.

(ii) Provisions that no permit will be issued if construction or modification of the facility will not comply with the requirements of paragraph (c) of this section.

(3) Agency procedures provide that no permit for the construction or modification of a facility covered by this section shall be issued without notice and opportunity for public hearing. The public hearing may be of a legislative type; the notice shall conform to the requirements of 40 CFR 51.4(b); and the agency rules or procedures may provide that if no notice of intent to participate in the hearing is received from any member of the public (other than the applicant) prior to 7 days before the scheduled hearing date, no hearing need be held. If notice of intent to participate is required, the fact shall be noted prominently in the required hearing notice.

(g)-(l) [Reserved]

(m) On or before January 30, 1975, the Massachusetts Port Authority ("Massport") shall prepare and submit to the Governor for his approval a plan showing the manner in which the number of commercial parking spaces at Logan Airport which exceeds the number of such spaces permitted under the freeze shall be removed from use. The Governor shall approve such plan if he determines that (1) implementation of such plan would result in reducing the aggregate number of commercial parking spaces to the level of such spaces permitted by this section, (2) Massport has adequate legal authority to implement such plan and (3) adequate commitments have been made by Massport to assure the Governor that such plan will be fully implemented and maintained on and after May 1, 1976. In the event that the Governor does not approve such plan by April 1, 1976, then the owner or operator of each commercial parking facility located at Logan Airport shall, on or before July 1, 1976, reduce the number of commercial parking spaces available for use at each such facility by an amount which bears the same proportion to the number of spaces exceeding the limit imposed by this section as the number of spaces available at such facility bears the

total number of such spaces which were available for use at Logan Airport on April 1, 1976.

(n) Where an agency approved by the Governor under paragraph (e) of this section to issue permits for new construction in the City of Cambridge demonstrates to the satisfaction of the Governor that (1) specific on-street parking spaces in use as of October 15, 1973, were being legally and regularly used as of such date for parking by commuters (as that term is defined in § 52.1161(a)(6)) who are not residents of Cambridge and that (2) effective measures have been implemented (including adequate enforcement) to prevent such spaces from being used by such commuters, then such approved agency may issue permits for construction of additional new commercial parking spaces equal to one-half of the number of spaces removed from regular use by such commuters and the total quantity of commercial parking spaces allowable in Cambridge under this section shall be raised accordingly.

(o) On or before July 31, 1976, and on or before each succeeding July 31, the Governor and the chief executive officer of any agency approved by the Governor under paragraph (e) of this section shall submit a report to the Regional Administrator setting forth:

(1) The names and addresses of all persons who received permits during the previous twelve-month period ending June 30 and number of spaces allocated to each such person;

(2) The number of commercial parking spaces available for use as of the June 30 prior to the date of the report;

(3) The number of commercial parking spaces which remain available for allocation by the Governor or such agency as of the June 30 prior to the date of the report, including those spaces made available because of retirement of existing commercial parking spaces as well as those spaces made available because of the effects of paragraphs (n), (p) and (q) of this section; and

(4) The location and capacity of any park-and-ride facility designated under paragraph (p) of this section.

(p) The Governor and any approved agency may issue a permit to construct a commercial parking facility which is

designated by the Governor as a park-and-ride facility to be operated in conjunction with mass transit service without regard to the limitations on number of spaces imposed by this section.

(q) Where an agency approved by the Governor can demonstrate to the satisfaction of the Governor that there have been physically eliminated through permanent modification or demolition any legal on-street parking spaces within a municipality then such agency may issue permits for construction within that municipality of additional new commercial parking spaces equal to the number of spaces thus eliminated and the total quantity of commercial parking spaces allowable for such municipality under this section shall be increased accordingly.

(r) The provisions of this regulation shall cease to be effective as to that portion of the freeze area lying within the City of Boston and not included within Boston proper or Logan Airport at such time as the City of Boston implements a program, approved by the Governor, which shall include effective measures to control the construction of additional commercial parking spaces within that area, including procedures for issuance of conditional use permits under applicable zoning regulations and for assuring compliance with all air quality requirements under state and Federal law.

[40 FR 25162, June 12, 1975, as amended at 40 FR 39863, Aug. 29, 1975]

§§ 52.1136—52.1144 [Reserved]

§ 52.1145 Regulation on organic solvent use.

(a) Definitions:

(1) *Organic solvents* include diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as solvents, viscosity reducers, or cleaning agents, except that such materials which exhibit a boiling point higher than 220 °F. at 0.5 millimeters of mercury absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 220 °F.

(2) *Solvent of high photochemical reactivity* means any solvent with an aggre-

gate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations in reference to the total volume of solvent:

(i) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cycloolefinic type of unsaturation: 5 percent;

(ii) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent;

(iii) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent. Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is, that group having the least allowable percentage of total volume of solvents.

(3) *Organic materials* are chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates, and ammonium carbonate.

(b) This section is applicable throughout the Boston Intrastate Region. The requirements of this section shall be in effect in accordance with § 52.1147.

(c) No person shall cause, allow, suffer, or permit the discharge into the atmosphere of more than 15 pounds of organic materials in any 1 day, nor more than 3 pounds of organic materials in any 1 hour, from any article, machine, equipment, or other contrivance, in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured, or heat-polymerized, in the presence of oxygen, unless said discharge has been reduced as a result of the installation of abatement controls by at least 85 percent. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials and use operations

described in this section shall be collectively subject to compliance with this section.

(d) No person shall cause, suffer, allow, or permit the discharge into the atmosphere of more than 40 pounds of organic materials in any 1 day, nor more than 8 pounds in any 1 hour, from any article, machine, equipment, or other contrivance used under conditions other than described in paragraph (c) of this section for employing, or applying any solvent of high photochemical reactivity or material containing such photochemically reactive solvent, unless said discharge has been reduced as a result of the installation of abatement controls by at least 85 percent. Emissions of organic materials into the atmosphere resulting from air or heated drying of products for the first 12 hours after their removal from any article, machine, equipment or other contrivance described in this section shall be included in determining compliance with this section. Emissions resulting from baking, heat-curing, or heat-polymerizing as described in paragraph (c) of this section shall be excluded from determination of compliance with this section. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip, or wire that emit organic materials and use operations described in this section shall be collectively subject to compliance with this section.

(e) Emissions of organic materials to the atmosphere from the clean-up with a solvent of high photochemical reactivity, or any article, machine, equipment, or other contrivance described in paragraph (c) or (d) of this section or in this paragraph, shall be included with the other emissions of organic materials from that article, machine, equipment or other contrivance for determining compliance with this section.

(f) No person shall cause, suffer, allow, or permit during any one day disposal of a total of more than 1.5 gallons of any solvent of high photochemical reactivity, or of any material containing more than 1.5 gallons of any such photochemically reactive solvent by any means that will permit the

evaporation of such solvent into the atmosphere.

(g) Emissions of organic materials into the atmosphere required to be controlled by paragraph (c) or (d) of this section shall be reduced by:

(1) Incineration, provided that 90 percent or more of the carbon in the organic material being incinerated is converted to carbon dioxide, or

(2) Adsorption, or

(3) The use of other abatement control equipment determined by the Regional Administrator to be no less effective than either of the above methods.

(h) A person incinerating, adsorbing, or otherwise processing organic materials pursuant to this section shall provide, properly install and maintain in calibration, in good working order, and in operation, devices as specified in the authority to construct, or as specified by the Regional Administrator, for indicating temperatures, pressures, rates of flow, or other operating conditions necessary to determine the degree and effectiveness of air pollution control.

(i) Any person using organic solvents or any materials containing organic solvents shall supply the Regional Administrator upon request and in the manner and form prescribed by him, written evidence of the chemical composition, physical properties, and amount consumed for each organic solvent used.

(j) The provisions of this rule shall not apply to:

(1) The manufacture of organic solvents, or the transport or storage of organic solvents or materials containing organic solvents.

(2) The spraying or other use of insecticides, pesticides, or herbicides.

(3) The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.

(4) The use of any material, in any article, machine, equipment or other contrivance described in paragraph (c), (d), or (e) of this section if:

(i) The volatile content of such material consists only of water, and organic solvents;

(ii) The organic solvents comprise not more than 30 percent by volume of said volatile content;

(iii) The volatile content is not a solvent of high photochemical reactivity as defined in paragraph (a) of this section; and

(iv) The organic solvent or any material containing organic solvent does not come into contact with flame. This last stipulation applies only for those articles, machines, equipment or other contrivances that are constructed or modified after November 8, 1973.

(5) The use of any material, in any article, machine, equipment or other contrivance described in paragraph (c), (d), or (e) of this section if:

(i) The organic solvent content of such material does not exceed 30 percent by volume of said material;

(ii) The volatile content is not a solvent of high photochemical reactivity; and

(iii) [Reserved]

(iv) The organic solvent or any material containing organic solvent does not come into contact with flame. This last stipulation applies only for those articles, machines, equipment or other contrivances that are constructed or modified after November 8, 1973.

(6) [Reserved]

(7) An article, machine, equipment or other contrivance described in paragraph (c), (d) or (e) of this section used exclusively for chemical or physical analyses or determination of product quality and commercial acceptance provided that—

(i) The exemption is approved in writing by the Regional Administrator;

(ii) The operator of said article, machine, equipment or contrivance is not an integral part of the production process; and

(iii) The emissions from said article, machine, equipment or other contrivance do not exceed 800 lbs. in any calendar month.

(8) Sources subject to the provisions of Massachusetts Regulation 310 CMR 7.18 which has been federally approved.

(k) [Reserved]

(l) All determinations of emission rates shall be conducted in a manner approved in writing by the Regional Administrator.

[40 FR 25165, June 12, 1975, as amended at 47 FR 28373, June 30, 1982]

§ 52.1146 [Reserved]

§ 52.1147 Federal compliance schedules.

(a) Except as provided in paragraph (c) of this section, the owner or operator of a source subject to regulation under paragraph (c)(1) of § 52.1144 and § 52.1145 shall comply with the increments of progress contained in the following schedule:

(1) Final control plans for emission control systems or process modifications must be submitted on or before June 1, 1974, for sources subject to § 52.1144(c)(1) and on or before May 1, 1974 for sources subject to § 52.1145.

(2) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modifications on or before March 1, 1975, for sources subject to § 52.1144(c)(1) and on or before July 1, 1974, for sources subject to § 52.1145.

(3) Initiation of on-site construction or installation of emission control equipment or process modification must begin on or before May 1, 1975, for sources subject to § 52.1144(c)(1) and on or before August 15, 1974, for sources subject to § 52.1145.

(4) On-site construction or installation of emission control equipment or process modification must be completed prior to April 15, 1975, except for purposes of paragraph (c)(1) of § 52.1144, the applicable date shall be February 1, 1976.

(5) Final compliance is to be achieved prior to May 31, 1975, except for sources subject to paragraph (c)(1) of § 52.1144 of this subpart. Final compliance for sources subject to paragraph (c)(1) of § 52.1144 is to be achieved by June 1, 1976.

(i) Facilities subject to paragraph (c)(1)(iii) of § 52.1144 of this subpart which have a daily throughput of 20,000 gallons of gasoline or less are required to have a vapor recovery system in operation no later than May 31, 1977. Delivery vessels and storage containers served exclusively by facilities required to have a vapor recovery system in operation no later than May 31, 1977,

also are required to meet the provisions of this section no later than May 31, 1977.

(6) Any owner or operator of stationary sources subject to compliance schedule in this paragraph shall certify to the Administrator within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(7) Any gasoline dispensing facility subject to paragraph (c)(1) of § 52.1144 which installs a storage tank after October 15, 1973, shall comply with such paragraph by March 1, 1976. Any facility subject to such paragraph which installs a storage tank after March 1, 1976 shall comply with such paragraph at the time of installation.

(b) Except as provided in paragraph (d) of this section, the owner or operator of a source subject to paragraph (d)(1) of § 52.1144 shall comply with the increments of progress contained in the following compliance schedule:

(1) Final control plans for emission control systems or process modifications must be submitted prior to January 1, 1975.

(2) Contracts for emission control systems or process modifications must be awarded or orders must be issued for the purchase of component parts to accomplish emission control or process modification prior to March 1, 1975.

(3) Initiation of on-site construction or installation of emission control equipment or process modification must begin not later than May 1, 1975.

(4) On-site construction or installation of emission control equipment or process modification must be completed prior to May 1, 1977.

(5) Federal compliance is to be achieved prior to May 31, 1977.

(6) Any owner or operator of stationary sources subject to the compliance schedule in this paragraph shall certify to the Administrator, within 5 days after the deadline for each increment of progress, whether or not the required increment of progress has been met.

(7) Any gasoline dispensing facility subject to paragraph (d)(1) of § 52.1144 which installs a gasoline dispensing system after the effective date of this regulation shall comply with the re-

quirements of such paragraph by May 31, 1977. Any facility subject to such paragraph which installs a gasoline dispensing system after May 31, 1977, shall comply with such paragraph at the time of installation.

(c) Paragraph (a) of this section shall not apply:

(1) To a source which is presently in compliance with all requirements of paragraph (c)(1) of § 52.1144 and § 52.1145 and which has certified such compliance to the Administrator by June 1, 1974. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the Commonwealth and approved by the Administrator.

(3) To a source subject to § 52.1144(c)(1) whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after March 1, 1976. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(4) To a source subject to § 52.1145 whose owner or operator submits to the Administrator by May 1, 1974, a proposed alternative compliance schedule. No such schedule may provide for compliance after May 31, 1975. If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(d) Paragraph (b) of this section shall not apply:

(1) To a source which is presently in compliance with paragraph (d)(1) of § 52.1144 and which has certified such compliance to the Administrator by January 1, 1975. The Administrator may request whatever supporting information he considers necessary for proper certification.

(2) To a source for which a compliance schedule is adopted by the State and approved by the Administrator.

(3) To a source whose owner or operator submits to the Administrator by June 1, 1974, a proposed alternative schedule. No such schedule may provide for compliance after May 31, 1977.

If promulgated by the Administrator, such schedule shall satisfy the requirements of this paragraph for the affected source.

(e) Nothing in this paragraph shall preclude the Administrator from promulgating a separate schedule for any source to which the application of the compliance schedule in paragraph (a) or (b) of this section fails to satisfy and requirements of 40 CFR 51.15 (b) and (c).

[38 FR 30970, Nov. 8, 1973]

EDITORIAL NOTES: (1) For FEDERAL REGISTER citations affecting § 52.1147, see the List of CFR Sections Affected in the Finding Aids section of this volume.

(2) The compliance dates given in paragraphs (b) (1) through (3) of § 52.1147 were deferred indefinitely at 40 FR 1127, Jan. 6, 1975.

§§ 52.1148—52.1159 [Reserved]

§ 52.1160 Requirements for state implementation plan revisions relating to new motor vehicles.

Massachusetts' adopted LEV program must be revised to the extent necessary for the state to comply with all aspects of the requirements of § 51.120.

[60 FR 4737, Jan. 24, 1995]

§ 52.1161 Incentives for reduction in single-passenger commuter vehicle use.

(a) Definitions:

(1) *Employer* means any person or entity which employs 50 or more employees at any time during a calendar year at an employment facility located in the Boston Intrastate Region.

(2) *Educational institution* means any person or entity which has 250 or more employees and students at any time during the academic year at an educational facility offering secondary level or higher training including vocational training located in the Boston Intrastate Region.

(3) *Employee* means any person who performs work for an employer thirty-five or more hours per week and for more than twenty weeks per year for compensation and who travels to and from work by any mode of travel.

(4) *Student* means any full-time day student who does not live at the edu-

cational institution and who travels to and from classes by any mode of travel.

(5) *Affected facility* means any employment facility at which 50 or more persons are employees or any educational facility at which 250 or more persons are students and employees.

(6) *Commuter* means both an *employee* and a *student*.

(7) *Single-passenger commuter vehicle* means a motor-driven vehicle with four or more wheels with capacity for a driver plus one or more passengers which is used by a commuter traveling alone to work or classes and is not customarily required to be used in the course of his employment or studies.

(8) *Base date* means the date set forth in paragraph (d) of this section as of which the base number of single-passenger commuter vehicles at a particular employment facility or educational institution must be determined.

(9) *The Secretary* means the Secretary of Transportation and Construction of the Commonwealth of Massachusetts.

(b) Commencing with the effective date of this section, each employer and educational institution (except as provided below) shall diligently and expeditiously implement and thereafter continuously maintain the following mandatory measures which are designed to achieve a goal of reducing the number of single-passenger commuter vehicles customarily commuting daily to each affected facility as of its base date by 25 percent (or as adjusted pursuant to paragraph (g) of this section):

(1) Making available to commuters any pass program offered by the Massachusetts Bay Transportation Authority, if any commuter to the facility uses the mass transit facilities of such Authority as part of his daily commuting trip, including making all administrative arrangements for commuters to purchase the pass and thereby participate in the pass program and encouraging commuters to participate by such means as publicizing the availability of the pass program and the cost advantages thereof.

(2)–(8) [Reserved]

[40 FR 25166, June 12, 1975, as amended at 47 FR 28373, June 30, 1982; 41 FR 10223, Mar. 10, 1976]

§ 52.1162 Regulation for bicycle use.

(a) Definitions:

(1) *Bicycle* means a two-wheel nonmotor-powered vehicle.

(2) *Bike path* means a route for the exclusive use of bicycles separated by grade or other physical barrier from motor traffic.

(3) *Bike lane* means a street lane restricted to bicycles and so designated by means of painted lanes, pavement coloring or other appropriate markings. A *peak hour* bike lane means a bike lane effective only during times of heaviest auto commuter traffic.

(4) *Bike route* means a route in which bicycles share road space with motorized vehicles.

(5) *Bikeway* means bike paths, bike lanes and bike routes.

(6) *Bicycle parking facility* means any facility for the temporary storage of bicycles which allows the frame and both wheels of the bicycle to be locked so as to minimize the risk of theft and vandalism.

(7) *Parking facility* means a lot, garage, building, or portion thereof in or of which motor vehicles are temporarily parked.

(8) *Parking space* means the area allocated by a parking facility for the temporary storage of one automobile.

(9) *MBTA* means the Massachusetts Bay Transportation Authority.

(b) *Application*. This section shall be applicable in the Boston Intrastate Region.

(c) *Study*. The Commonwealth, according to the schedule set forth in paragraph (d) of this section, shall conduct a comprehensive study of, and in that study recommend, the establishment of permanent bikeways and related facilities within the area described in paragraph (b) of this section. The study shall consider or include at least the following elements:

(1) The physical design for bikeways, intersections involving bikeways, and means of bicycle link-ups with other modes of transportation;

(2) The location of bikeways, including ascertaining high accident or pollution areas and developing means of avoiding or ameliorating those situations as well as means of providing intersection safety generally;

(3) The location of bicycle parking facilities, including bus stops;

(4) The rules of the road for bicyclists, and to the extent that present rules must be modified because of bikeways, new rules of the road for motorists. Also the feasibility of mandatory adult bicycle registration to minimize theft and increase recovery of stolen bicycles;

(5) Bicycle safety education for bicyclists, motorists, children, students, street maintenance personnel and policemen, including requiring bicycle safety principles and safe street riding skills to be taught in high school automobile driver(s) education programs;

(6) Methods for publicizing bicycles or bicycles plus mass transit as alternatives to automobile transportation, including the preparation, perhaps in conjunction with bicentennial efforts, of a master Boston area transit map, indicating the kind, extent and location of bicycle facilities, public baths, showers, toilet facilities, water fountains, as well as routes and stops for MBTA, common carriers and private bus lines, such map to be distributed by the Registry of Motor Vehicles with each automobile new registration and automobile registration renewal;

(7) Requiring or providing incentives for common carriers and mass transit carriers, especially the Blue Line of the MBTA, to provide bicycle parking facilities at their respective terminals and stations and bicycle carrying facilities on their respective vehicles;

(8) The creation of roadway zones in which all vehicles, except mass transit, emergency and service vehicles, and bicycles, would be excluded;

(9) Requiring or providing incentives for office buildings and employers to install and to provide free shower and locker facilities for cyclists;

(10) A bicycle user and potential user survey, which shall at a minimum determine:

(i) For present bicycle riders, the origin, destination, frequency, travel time, distance and purpose of bicycle trips;

(ii) In high density employment areas, the present modes of transportation of employees and the potential modes of transportation, including the

numbers of employees who would use a bicycle for a significant portion of their commuting transportation were suitable facilities available to them. This section of the study shall seek to ascertain the size of the working population that would move from automobiles to mass transit and bicycles or bicycles alone as a significant form of transportation. It shall also seek to ascertain what bicycle facilities or mix thereof would produce the greatest conversion from auto use;

(11) The special problems related to the design and incorporation in the bikeway facilities described in paragraph (f) of this section of feeder bikeways to bridges, on-bridge bikeways, feeder bikeways to MBTA and railroad stations, feeder bikeways to fringe parking areas, and bicycle passage through rotaries and squares;

(12) The conversion of railroad beds, power lines, flood control channels or similar corridors to bikepaths;

(13) Removing barriers to employees bringing their bicycles into their offices;

(14) Removal or alteration of drain grates with bars so placed as to catch bicycle wheels;

(15) Bicycle rentals at appropriate locations; and

(16) The feasibility of constructing bikeways along at least each of the corridors set forth in paragraph (g) of this section.

In conducting the study, opportunity shall be given for public comments and suggestions. Input shall also be solicited from state, regional and local planning staffs, state, regional and local agencies, bicycle organizations and other interested groups and be related to comprehensive transportation planning for the area designated in paragraph (b) of this section. The study shall, using as a goal a minimum of 180 miles of bikeways, examine as large a network of facilities as is practicable within the area described in paragraph (b) of this section and shall recommend physical designs for said facilities. The study shall also propose a compliance schedule for establishing any recommended permanent bicycle facilities.

(d) The Commonwealth of Massachusetts shall submit to the Regional Ad-

ministrator no later than October 1, 1975, a detailed compliance schedule showing the steps that will be taken to carry out the study required by paragraph (c) of this section. The compliance schedule shall at a minimum include:

(1) Designation of the agency responsible for conducting the study;

(2) A date for initiation of the study, which date shall be no later than October 1, 1975; and

(3) A date for completion of the study, and submittal thereof to the Administrator, which date shall be no later than June 30, 1976.

(e) On or before September 1, 1976, the Administrator shall publish in the FEDERAL REGISTER his response to the study required by paragraph (c) of this section, and shall, in that response, either approve the facility location and designs and other requirements as well as the proposed compliance schedule for permanent facilities recommended in the study, or shall designate alternative and/or additional facility locations and designs and other requirements as well as modify the proposed compliance schedule for permanent facilities. The Administrator may provide, if he deems it necessary, for a public comment period prior to the effective date of his response.

(f) *Permanent bicycle facilities.* At the conclusion of the study required by paragraph (c) of this section and the Administrator's response thereto, the Commonwealth shall, together with the municipalities and other authorities having jurisdiction over affected roadways and areas establish permanent bicycle facilities as required by the Administrator's response to the study.

(g) The potential bikeway corridors to be studied pursuant to paragraph (c)(16) are as follows:

(1) Central Square, Cambridge to Boston University;

(2) Harvard Square, Cambridge to Union Square, Allston;

(3) Union Square, Somerville to Central Square, Cambridge;

(4) Union Square, Allston to Government Center;

(5) Harvard Square, Cambridge to Government Center;

(6) Brookline Village to Government Center;

(7) Boston University to Longwood Avenue Hospital Zone;

(8) Egleston Square to Government Center;

(9) Columbus Park to Boston Common;

(10) L Street Beach to Government Center;

(11) Powder House Circle, Somerville to Harvard Square;

(12) Everett to Government Center;

(13) Porter Square, Cambridge to Columbus Park, Boston;

(14) Cleveland Circle to Government Center;

(15) Porter Square, Cambridge to Government Center;

(16) Harvard Square, Cambridge to Boston City Hospital; and

(17) Charlestown, Longfellow, Harvard, Boston University, River Street, Western Avenue, Anderson, Summer Street, and Broadway Bridges.

(h) The MBTA shall provide bicycle parking facilities at each major MBTA station adequate to meet the needs of MBTA riders within the area designated in paragraph (b) of this section. Said parking facilities shall at a minimum be located at:

(1) All stations of the Riverside portion of the Green Line;

(2) Reasonably spaced stops on other portions of the Green Line;

(3) All stations of the Red, Orange, and Blue Lines; and shall have spaces for at least six bicycles per station, except for facilities at terminal stations which shall have spaces for at least 24 bicycles.

(i) The Commonwealth shall provide for advertisement of bikeways and bicycle parking facilities in use within the area designated in paragraph (b) of this section to potential users by means of media advertisement, the distribution and posting of bikeway maps and bike safety information, as well as for a program of bicycle safety education including the motor vehicle operators license examination and public service advertisement.

[40 FR 25168, June 12, 1975]

§ 52.1163 Additional control measures for East Boston.

(a) On or before December 31, 1975, the Governor, the Mayor of the City of Boston, the Chairman of the Massachusetts Bay Transportation Authority, the Chairman of the Massachusetts Turnpike Authority and the Chairman of the Massachusetts Port Authority ("Massport") shall each submit to the Regional Administrator a study or studies of various alternative strategies to minimize the number of vehicle trips to and from Logan International Airport ("Logan Airport") and to reduce the amount of carbon monoxide in the vicinity of the Callahan and Sumner Tunnels to a level consistent with the national primary ambient air quality standards. These studies may be combined into one or more joint studies. These studies shall contain recommendations for control measures to be implemented prior to May 31, 1977. Measures to be studied shall include but need not be limited to, the following:

(1) Incentives and programs for reductions in the use of single-passenger vehicles through the Callahan and Sumner Tunnels;

(2) Alterations in traffic patterns in the tunnel area;

(3) Use of exclusive lanes for buses, carpools, taxis and limousines during peak travel hours;

(4) Reduction of parking spaces at Logan Airport and increased parking charges at remaining spaces;

(5) Construction of satellite terminal facilities for Logan Airport;

(6) Use of alternate modes of transportation for trips to and from Logan Airport, and establishment of facilities at Logan Airport to accommodate such modes;

(7) Improved transit service between the Blue Line subway stop and airline terminals at Logan Airport; and

(8) Any other measures which would be likely to contribute to achieving the required reductions.

(b) Massport shall monitor the number of vehicles entering and leaving Logan Airport so as to provide the Secretary of Transportation for the Commonwealth (the "Secretary") with reports on a semi-annual basis, beginning

on January 30, 1976, showing total vehicle trips per day for the six-month period ending on the previous December 31 or June 30, presented and tabulated in a manner prescribed by the Secretary.

(c) Massport shall, on or before June 30, 1976, prepare and submit to the Secretary draft legislation which, if enacted into law, would alleviate local licensing problems of bus and limousine companies in order to facilitate increased and improved bus and limousine service for travelers using Logan Airport.

(d) Massport shall negotiate with the Massachusetts Bay Transportation Authority to increase the convenience of the mass transit services currently available to travelers to Logan Airport.

(e) Massport shall, on or before June 30, 1976, establish and maintain a program (which shall include the enclosure of this information in tickets or folders mailed by airlines using Logan Airport) to publicize the advantages in costs and convenience of the use of mass transit or other available transportation services by travelers using the airport, and making known to such persons the schedules, routes, connections, and other information necessary for them to conveniently use mass transit and such other services.

(f) Massport shall, on or before October 15, 1975, establish a carpool program at Logan Airport, which shall include the elements specified in paragraphs (b)(7) (A) through (C) of § 52.1161. For the purpose of applying the requirements of § 52.1161 to the present paragraph:

(1) The definitions in § 52.1161 shall apply;

(2) Each employer with any employment facility at Logan Airport shall cooperate with Massport in the development and implementation of the program;

(3) Any such employer (including Massport) may fulfill its obligations under paragraph (b)(7) of § 52.1161 by fully cooperating with and participating in the Logan Airport carpool program (including bearing its proportional share of the program's cost); and

(g) Massport shall, on or before October 15, 1975, implement a program of

systematic dissemination to employers and employees at Logan Airport of information regarding the Massachusetts Bay Transportation Authority pass program, bus and train schedules and rates, park-and-ride facilities, and other transportation programs and services available to employees at Logan Airport.

(h) Massport shall, on or before January 1, 1976, implement and maintain a program to allow all employees at Logan Airport, regardless of the size of the particular employment facility at which they work, to participate in any available pass program made available by the Massachusetts Bay Transportation Authority, including the use of Massport as a central clearinghouse for the purpose of aggregating employees and for fiscal management of such pass program.

[40 FR 25169, June 12, 1975]

§ 52.1164 Localized high concentrations—carbon monoxide.

(a) Not later than October 1, 1975, the Commonwealth shall have developed and have begun to implement a program to identify urban and suburban core areas and roadway/intersection complexes within the Boston Intra-state Region which violate the national ambient air quality standards for carbon monoxide. Once such localized areas have been identified, the Commonwealth, in cooperation with the affected local municipalities, shall develop and implement appropriate control strategies to insure that such air quality standards will be achieved at such areas. Plans shall be developed to include provisions for the entire municipality in order to insure that the implemented strategies will not create carbon monoxide violations elsewhere in the vicinity after the measures have been applied.

(b) To accomplish the requirements of paragraph (a) of this section, the Commonwealth shall do the following:

(1) Identify areas of potentially high carbon monoxide concentrations by reviewing all available traffic data, physical site data and air quality and meteorological data for all major intersections and roadway complexes within the Region. The Regional Administrator will provide general guidance on

area designations to assist in the initial identification process.

(2) Areas identified under paragraph (b)(1) of this section shall be studied in further detail, including meteorological modeling, traffic flow monitoring, air quality monitoring and other measures necessary to accurately quantify the extent and actual levels of carbon monoxide in the area. A report containing the results of these analyses and identifying such areas shall be submitted to the Regional Administrator no later than March 1, 1976.

(3) If, after the completion of actions required by paragraph (b)(2) of this section, an area shows or is predicted to have violations of the carbon monoxide standard, the Commonwealth, in cooperation with the affected municipality, shall submit a plan to the Regional Administrator containing measures to regulate traffic and parking so as to reduce carbon monoxide emissions to achieve air quality standards in the area. Such plan shall include: the name of the agency responsible for implementing the plan, all technical data and analyses supporting the conclusions of the plan, all control strategies adopted as part of the plan, and other such information relating to the proposed program as may be required by the Regional Administrator. The Regional Administrator shall provide general guidance on applicable control strategies and reporting formats to assist in plan development and submittal. Such a plan shall be submitted for each municipality which contains one or more identified areas no later than October 1, 1975 for Waltham and October 1, 1976, for other areas.

(4) All measures called for in the plan submitted under paragraph (b)(3) of this section shall be subject to the approval of the Regional Administrator and shall be implemented by May 31, 1977.

(c) The Commonwealth shall annually review the effectiveness of the control strategies developed pursuant to this section and modify them as necessary to insure that such carbon monoxide standards will be attained and maintained. The results of this review

and any changes in the measures which the Commonwealth recommends as a result thereof shall be reported to the Regional Administrator annually as required under § 52.1160.

(d) Prior to submitting any plan to the Regional Administrator under paragraph (b)(3), the Commonwealth shall give prominent public notice of the general recommendations of such plan, shall make such plan available to the public for at least 30 days and permit any affected public agency or member of the public to comment in writing on such plan. The Commonwealth shall give the Regional Administrator timely notice of any public hearing to be held on such plan and shall make all comments received available to the Regional Administrator for inspection and copying.

[40 FR 25170, June 12, 1975]

§ 52.1165 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulation for preventing significant deterioration of air quality. The provisions of § 52.21 (b) through (v) are hereby incorporated and made a part of the applicable State plan for the State of Massachusetts.

[43 FR 26410, June 19, 1978]

§ 52.1166 [Reserved]

§ 52.1167 EPA-approved Massachusetts State regulations.

The following table identifies the State regulations which have been submitted to and approved by EPA as revisions to the Massachusetts State Implementation Plan. This table is for informational purposes only and does not have any independent regulatory effect. To determine regulatory requirements for a specific situation consult the plan identified in § 52.1120. To the extent that this table conflicts with § 52.1120, § 52.1120 governs.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS
[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.00	Definitions	2/14/85 2/21/86; 2/25/86; 6/23/86	9/25/85 8/31/87	50 FR 38804 52 FR 32792	64 73	Motor vehicle fuel. Two new definitions and one amended definition.
	Statutory authority; legend; preamble; definitions ...	11/5/86; 12/10/86	11/19/87	52 FR 44395	74	Approving the addition of definitions for synthetic organic chemical manufacturing facility, component, in gas service, light liquid, in light service, leak, leaking component, monitor, repair, unit turnaround, in VOC service, quarterly, and pressure relief valve.
310 CMR 7.00	Definitions	7/18/88	5/4/89	54 FR 19184	78	Includes bulk plant and terminal, gasoline market.
310 CMR 7.00	Definitions	1/30/91	10/8/92	57 FR 46312	96	Definitions of no-build alternative, project area, project roadway, and tunnel ventilation system.
310 CMR 7.00	Definitions	05/17/90, 06/07/91	12/14/92	57 FR 58996	97	Added "motor vehicle fuel," "motor vehicle fuel dispensing facility," "substantial modification," and "vapor collection and control system."
310 CMR 7.00	Definitions	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Approving the following amended or additional definitions: Application area, asphalt, automobile, bottom filling, bulk terminal, coating line(s), commissioner, condensate, continuous compliance, crude oil, department, end sealing compound, exterior base coat, extreme environmental conditions, flashoff area, freeboard height, freeboard ratio, halogenated organic compound, interior base coat, interior body spray, knife coating, lease custody transfer, light duty truck, manufacturing plant, miscellaneous metal parts and products, overvarnish, paper surface coating, penetrating prime coat, petroleum liquids, prime coat, publication rotogravure printing, quench area, refrigerated chiller, Reid vapor pressure, roll printing, roll coating, single coat, solids, specialty printing, splash filling, standard conditions, submerged filling, three piece can side seam spray, topcoat, transfer efficiency, two piece can exterior end coating, vinyl surface coating, volatile organic compound, waxy, heavy pour crude oil. The definitions of "coating application system" and "bulk plants and terminals" have been deleted.

310 CMR 7.00	Definitions	8/27/82, 6/22/87, 12/27/89	2/23/93	58 FR 10970	84	Approving the definitions of "stationary source" and "building, structure, facility, or installation."
310 CMR 7.00	Definitions	6/7/91	6/30/93	58 FR 34911	58	Definitions: Bulk plants, vapor balance systems.
310 CMR 7.00	Definitions	12/9/91	10/4/94	59 FR 50498	101	Definitions of baseline roadway conditions, high occupancy vehicle, high occupancy vehicle lane, peak hour, performance standard, and roadway threshold standard.
310 CMR 7.00	Definitions	11/15/93 05/11/94 7/30/93	2/1/95	60 FR 6030	103	Approving additional definitions for.
310 CMR 7.00	Definitions	7/30/93	10/15/96	61 FR 53632	111	Adding or amending the following definitions: motor vehicle parking space; off-peak parking spaces; remote parking spaces; and restricted use parking.
310 CMR 7.00 Appendix B (except 310 CMR 7.00 B(3)(e)(5)(h). 310 CMR 7.00 and 7.02(12)(c). 310 CMR 7.02	Emissions Banking, Trading, and Averaging	2/9/94 3/29/95	8/8/96	61 FR 41338	112	Replaces earlier emissions averaging rules with emissions banking, trading, and averaging.
310 CMR 7.02	Plans and approval and emission limitations	2/14 and 5/22/85 4/27/72 8/28/72 5/27/82 9/9/82 12/3/85 1/31/86 2/11/86	9/25/85	50 FR 38806	64	Motor vehicle fuel tank trucks.
310 CMR 7.02 (11)	Plans and approval and emission limitations	11/21/86 1/15/87 2/1/78	10/28/72 10/28/72 1/10/84 11/25/86	37 FR 23085 37 FR 23085 49 FR 1187 51 FR 42564	2 4 60 89	7.02(2)(b)(4) and 7.02(2)(5) for new source review. Adds the word "major" before the word "modification" at 7.02(2)(b).
310 CMR 7.02(12)	Plans and approval and emission limitations	8/17/89	3/10/89	54 FR 10148	72	7.02(2)(b) 4, 5 and 6-new source review.
310 CMR 7.02(12)	Plans and approval and emission limitations	8/17/89	3/15/79	44 FR 15704	18	Adds an emission limitation for sewage sludge incinerators.
310 CMR 7.02(12)	Plans and approval and emission limitations	8/17/89	1/11/93	58 FR 3495	93	310 CMR 7.02(12) has been recodified and relocated in 310 CMR 7.24, "J Organic Material Storage and Distribution." All subsections and references in 310 CMR 7.02(12) have been recodified accordingly.
310 CMR 7.02(12)	Plans and approval and emission limitations	8/17/89	4/5/95	60 FR 17229	105	This rule limits a source's potential to emit, therefore avoiding RACT, title V operating permits
310 CMR 7.02(12)(a)(b).	Plans and approval and emission limitations	8/17/89	9/16/80	45 FR 61293	30	Approved for secondary seals or equivalent weather roofs.
310 CMR 7.02(12)(a)(b).	Plans and approval and emission limitations	8/17/89	3/8/84	49 FR 8611	56	Provisions for Pioneer APCD Stage I vapor recovery.
310 CMR 7.02(12)(b)(2).	Plans and approval and emission limitations	8/17/89	5/25/78	43 FR 22356	15	Provisions for Pioneer APCD Stage I vapor recovery.
310 CMR 7.02(12)(b)(2).	Plans and approval and emission limitations	8/17/89	9/16/80	45 FR 61293	30	Provisions for Pioneer APCD Stage I vapor recovery.
310 CMR 7.02(12)(b)(2).	Plans and approval and emission limitations	8/17/89	7/7/83	48 FR 31200	55	Exempt Berkshire APCD.

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued
[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.02(12)(b)3, 310 CMR 7.02(12)(c) and (d).	Stage I vapor recovery	11/21/86	3/10/89	54 FR 10148	72	7.02(12)(b)3 is deleted.
310 CMR 7.02(12)(d).	Gasoline Tank Trucks	1/15/87	9/25/85	50 FR 38804	64	Tank trucks.
310 CMR 7.02(12)(e).	Test Methods applicable to 310 CMR 7.02(12)	5/22/85	3/10/89	54 FR 10148	72	Requires EPA approved test methods or EPA approved alternatives.
310 CMR 7.02(12)(f).	Gasoline Volatility	11/21/86	5/4/89	54 FR 19184	78	Approves a limitation on volatility of gasoline from June 30 for Sept. 15, 1989, and May 1 to Sept. 15 in subsequent years.
310 CMR 7.04(5) ..	Fuel oil viscosity	7/18/88	6/17/80	45 FR 40987	29	For Cambridge Electric Light Company's Kendal Station, and Blackstone Station.
310 CMR 7.05	Sulfur content of fuels	12/28/78	10/18/80	45 FR 40987	29	Correction notice.
310 CMR 7.05(1)(a).	Sulfur content of fuels and control thereof for Berkshire APCD.	8/28/72	10/28/72	37 FR 23058	4	Approves the burning of coal/oil slurry at New England Power Company, Salem Harbor Station, MA.
310 CMR 7.05(1)(b).	Sulfur content of fuels and control thereof for Berkshire APCD.	7/5/78	2/7/79	44 FR 7712	17	Approves the burning of 1% for all but Crane and Clark Corporation, Columbia Mill.
310 CMR 7.05(1)(c).	Sulfur content of fuels and control thereof for Berkshire APCD.	4/14/77	3/24/78	43 FR 12324	13	Approves the burning of 2.2% at Crane & Co., Inc., and Schweitzer Division, Kimberly-Clark Corp., Columbia Mill.
310 CMR 7.05(1)(d).	Sulfur content of fuels and control thereof for Berkshire APCD.	4/14/77	3/7/79	44 FR 12422	13	Approves burning of 2.2% at Esleek Manufacturing Company, Inc., provided the fuel firing rate does not exceed 137.5 gallons per hour.
310 CMR 7.05(1)(e).	Sulfur content of fuels and control thereof for Berkshire APCD.	8/31/78	4/28/83	48 FR 19172	54	Approves the burning of 2.2% until 7/1/78 for 100 mBtu sources listed in 52.1126.
310 CMR 7.05(1)(f).	Sulfur content of fuels and control thereof for Berkshire APCD.	11/8/82	2/15/77	42 FR 9176	10	Approves burning of 2.2% at James River Associates, Inc. and part of Fitchburg Paper Company, April through October. November through March, they are limited to burning 1% sulfur-in-fuel oil.
310 CMR 7.05(1)(g).	Sulfur content of fuels and control thereof for Berkshire APCD.	6/25/76	5/19/77	42 FR 25730	11	Extends expiration date to 6/21/78.
310 CMR 7.05(1)(h).	Sulfur content of fuels and control thereof for Berkshire APCD.	3/29/76	6/21/78	43 FR 26573	10	Permanent extension for certain sources to burn 2.2% under specified conditions.
310 CMR 7.05(1)(i).	Sulfur content of fuels and control thereof for Berkshire APCD.	5/25/76	7/16/79	44 FR 41180	24	Approves the burning of 2.2% at Fitchburg Paper (55 Meter stacks only) for James River, Massachusetts, Inc., year round.
310 CMR 7.05(1)(j).	Sulfur content of fuels and control thereof for Berkshire APCD.	8/22/77	6/17/80	45 FR 40987	24	Approves the temporary burning of 2.2% at Seaman Paper Co., Templeton.
310 CMR 7.05(1)(k).	Sulfur content of fuels and control thereof for Berkshire APCD.	3/20/80	9/10/80	45 FR 59578	31	Approves the burning of 2.2% at Millers Falls Paper Co.
310 CMR 7.05(1)(l).	Sulfur content of fuels and control thereof for Berkshire APCD.	3/27/79	9/17/81	46 FR 46133	33	
310 CMR 7.05(1)(m).	Sulfur content of fuels and control thereof for Berkshire APCD.	5/5/81				

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310 CMR 7.05(1)(c).	Sulfur content of fuels and control thereof for Merrimack Valley.	6/4/76	12/30/76	41 FR 56804	8	Approves the burning of 2.2% except at those sources listed in 52.1126.
		1/28/76	7/12/77	42 FR 35830	8	Approves burning of 1.4% at Haverhill Paperboard Corp., Haverhill, MA.
		1/28/76	6/21/78	43 FR 26573	8	Extends expiration date to 7/1/79.
		12/30/76	5/21/79	44 FR 29453	20	Permanent extension to burn 2.2%.
310 CMR 7.05(1)(d).	Sulfur content of fuels and control thereof for Metropolitan Boston APCD.	8/22/77	12/5/75	40 FR 56889	6	Approves burning of 1% for large electric generating facilities in certain cities and towns and 2.2% for smaller facilities. Effective 7/1/75 to 7/1/77.
		7/11/75	8/22/77	42 FR 42218	6	Extends expiration date from 7/1/77 to 7/1/78 except for Eastman Gelatin Corp., which must burn 1%.
		4/1/77	11/30/78	43 FR 56040	6	Extends expiration date from 7/1/78 to 7/1/79.
		4/20/78	5/21/79	44 FR 29453	20	Permanent extension to burn 2.2%.
	Sulfur content of fuels and control thereof for Metropolitan Boston APCD.	12/28/78	1/27/81	46 FR 8476	34	Approves the burning of 2.2% at Natick Paperboard Corp.
		4/25/80	8/11/81	46 FR 40688	38	Approves the increase to 2.2% at Boston Edison Mystic Generating Station for 30 months from 8/1/81 (expires 2/1/84).
		11/25/80	12/16/81	46 FR 61123	41	Approves burning of 2.2% at Haverhill Paper Corp.
		7/14/81	12/15/80	45 FR 82251	32	Allows the burning of 2.2% at Proctor and Gamble.
310 CMR 7.05(1)(e).	Sulfur content of fuels and control thereof for Pioneer Valley APCDs.	11/27/79	12/15/81	46 FR 61118	43	Approves burning of 2.2% at Eastman Gelatin Corp.
		9/24/81	9/25/84	49 FR 37592	65	Approves burning of 2.2% at Boston Edison Mystic Generating Station until 3/25/87.
		12/7/83	2/1/77	42 FR 5957	9	Approves 2.2% except for sources listed in 52.1125.
		7/22/77	6/21/78	43 FR 26573	9	Extends expiration date to 7/1/79.
	Sulfur content of fuels and control thereof for Pioneer Valley APCD.	7/22/76	5/21/79	44 FR 29453	21	Permanent extension to burn 2.2%.
		8/22/77	1/19/81	45 FR 4918	33	Approves the burning of 2.2% at all sources in Franklin and Hampshire Counties rated at less than 100 mBtu except Esleek Manufacturing Co., and Millers Falls Paper Co.
		12/27/77	2/10/82	47 FR 6011	45	Approves the burning of 2.2% at Holyoke Gas and Electric Department, Holyoke, MA.
		1/3/79	2/15/90	55 FR 5449	77	Approves the burning of 2.2% and imposes fuel use limits at American Fiber and Finishing Co., Erving Paper Co., and Westfield River Paper Co.
310 CMR 7.05(1)(f)	Sulfur content of fuels and control thereof for Southeastern APCD.	3/2/80	9/2/77	42 FR 44235	12	Approves burning of 2.2% for sources listed in 52.1126, all others must continue to burn 1%.
		10/13/81	9/8/78	43 FR 40010	12	Extends expiration date from 5/1/78 to 7/1/79.
		7/18/84	5/21/79	44 FR 29453	22	Permanent extension to burn 2.2%.
		4/17/85				
		3/16/87				
		11/25/87				
		12/30/76				
		12/30/76				
		1/31/78				
		1/31/79				

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued
[See NOTES at end of Table]

State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.05(4) ..	Ash content of fuels for Pioneer Valley for APCD ... Ash content of fuels for Metropolitan Boston APCD Ash content of fuels	1/3/79 7/20/79 12/3/85 1/31/86 2/11/86	5/21/79 5/21/79 11/25/86	44 FR 29453 44 FR 29453 51 FR 42564	21 23 69	Includes Berkshire Air Pollution Control District to 7.05(4)(b)(2) so facilities in that district can apply to burn fossil fuel with an ash content in excess of 9 pct by dry weight.
310 CMR 7.06	Visible emissions	8/28/72 7/5/78 12/28/79	10/28/72 2/7/79 8/12/80	37 FR 23085 44 FR 7712 45 FR 53476	4 17 17	Approves New England Power Company, Salem Harbor Station to burn a coal oil slurry. Extension of temporary revision to allow exceedance of 20% capacity limit at New England Power Company's Salem Harbor Station, Salem, MA Unit 1 so can burn 30% coal/70% oil mixture until 12/31/80.
310 CMR 7.07	Open burning	12/9/77	9/29/78	43 FR 44841	16	Two revisions with conditions to permit open burning of brush cane, driftwood and forest debris for 2 months of the year.
310 CMR 7.08	Open burning	9/28/79	6/17/80	45 FR 40987	27	Approves open burning (as in (c) 16) from 1/15 to 5/1 in certain areas of the State.
310 CMR 7.09	Incinerators	8/28/72	10/28/72	37 FR 23085	4	
	Dust and odor	8/28/72	10/28/72	37 FR 23085	4	
		12/9/77	9/29/78	43 FR 44841	16	Adds a requirement that mechanized street sweeping equipment must be equipped and operated with a suitable dust collector or suppression system.
310 CMR 7.12	Inspection Certificate Record Keeping and Reporting.	6/28/90; 9/30/92; 7/15/94	3/21/96	61 FR 11560	106	The 6/28/90 and 9/30/92 submittals deal with the permitting process. The 7/15/94 submittal develops 7.12 to comply with emission statement requirements.
310 CMR 7.14(2) ..	Continuous Emissions Monitoring	11/21/86 1/15/85	3/10/89	54 FR 10148	72	References 40 CFR part 51, Appendix P.
310 CMR 7.14(3) ..	Continuous Emissions Monitoring	11/21/86 1/15/87	3/10/89	54 FR 10148	72	Establishes compliance date for meeting the requirements of 7.14(2).
310 CMR 7.15	Asbestos application	8/28/72	10/28/72	37 FR 23085	4	For Pioneer Valley APCD.
310 CMR 7.16	Reduction to single passenger commuter vehicle use.	5/20/77	5/25/78	43 FR 22356	15	Reduction of single occupant commuter vehicles.
		12/31/78 5/16/79 9/7/78	9/16/80 5/14/79	45 FR 61293 44 FR 27991	19	Brayton Point Station, New England Power Company.
310 CMR 7.17	Coal conversion	1/22/82	6/9/82	47 FR 25007	49	Mount Tom Plant, Holyoke, MA Holyoke Water Power Company.

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310 CMR 7.18(1) ..	U Applicability and Handling Requirements	8/17/89	1/11/93	58 FR 3495	93	Approval of 310 CMR 7.18(1), (a), (c), (d) and (e).
310 CMR 7.18(2) ..	U Compliance with Emission Limitations	8/27/82; 8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Approval of 310 CMR 7.18(2), (2)(a), (2)(b), (2)(c) and (2)(e).
310 CMR 7.18(2)(b).	Generic VOC bubble for surface coaters	3/6/81 11/12/81	3/29/82	47 FR 13143	42	Includes surface coating of metal cans, large appliances, magnet wire insulation, automobiles, paper fabric and vinyl.
	Generic VOC bubble for surface coaters	6/24/80	7/12/82	47 FR 30060	47	Adds metal coils.
	Generic VOC bubble for surface coaters	3/29/85	8/8/86	61 FR 41338	112	Replaces earlier emissions averaging rules for surface coaters.
		7/21/81 3/10/81	6/2/82	47 FR 23927	48	Adds miscellaneous metal parts and products and graphic arts-rotogravure and flexography.
310 CMR 7.18(2)(e).	Compliance with emission limitations	9/9/82	2/3/83	48 FR 5014	53	Adds metal furniture.
310 CMR 7.18(3) ..	Metal furniture surface coating .....	.....	3/6/89	54 FR 9213	.....	Testing requirements for plan approvals issued under 310 CMR 7.18(17).
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(3) ..	U Metal Furniture Surface Coating	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(4) ..	Metal can surface coating	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Replacement of 310 CMR 7.18(3).
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(4) ..	U Metal Can Surface Coating	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(5) ..	Large appliances surface coating	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Replacement of 310 CMR 7.18(4).
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(5) ..	U Large Appliance Surface Coating	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(6) ..	Magnet wire insulation surface coating	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Replacement of 310 CMR 7.18(5).
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(6) ..	U Magnet Wire Insulation Surface Coating	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(7) ..	Automobile surface coating	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Replacement of 310 CMR 7.18(6).
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(7) ..	Automobile Surface Coating	9/9/82	11/9/83	45 FR 51480	53	Adds test methods.
310 CMR 7.18(8) ..	Solvent metal degreasing	8/17/89; 6/7/91	10/8/92	57 FR 46316	92	
		12/31/78 5/16/79	9/16/80	45 FR 61293	30	Conditional approval requiring controls for small solvent metal degreasers.
310 CMR 7.18(8) ..	U Solvent Metal Degreasing	8/13/83	11/9/83	48 FR 51480	53	Approves public education program for small degreasers and removes conditional approval.
		8/17/89	1/11/93	58 FR 3495	93	Approval of 310 CMR 7.18(8), (8)(d), (8)(d)1., (8)(e), (8)(f) and (8)(g).

TABLE 52.1167—EPA-APPROVED RULES AND REGULATIONS—Continued
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State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.18(8) ..	U Solvent Metal Degreasing	6/7/91	6/30/93	58 FR 34911	58	Approval of 310 CMR 7.18 (8), (8)(a), (8)(a)1., (8)(a)2., (8)(a)3., (8)(a)4., (8)(a)5., (8)(a)6., (8)(b), (8)(b)1., (8)(b)2., (8)(b)3., (8)(b)4., (8)(b)5., (8)(b)6., (8)(b)7., (8)(b)8., (8)(b)9., (8)(b)10., (8)(b)11., (8)(b)12., (8)(b)13., (8)(c), (8)(c)1., (8)(c)2., (8)(c)3., (8)(c)4., (8)(c)5., (8)(c)6., (8)(c)7., (8)(c)8., (8)(c)9., (8)(d)2., (8)(d)3.
310 CMR 7.18(9) ..	Outback asphalt	12/31/78 5/16/79	9/16/80	45 FR 61293	30	
310 CMR 7.18(9) ..	U Cutback Asphalt	9/9/82	11/9/83	48 FR 51480	53	Adds an exemption.
310 CMR 7.18(10)	Surface coating of metal coils	8/17/89 6/24/80 9/9/82	1/11/93 7/12/82 11/9/83	58 FR 3495 47 FR 30060 48 FR 51480	93 47 53	Replacement of 310 CMR 7.18(9). Approves and adds to 310 CMR 7.18(2)(b). Adds test methods and removes extended compliance schedule.
310 CMR 7.18(10)	U Metal Coil Coating	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	Replacement of 310 CMR 7.18(10).
310 CMR 7.18(11)	Surface coating of miscellaneous metal parts and products.	7/21/81 3/10/82	6/2/82	47 FR 23927	48	Adds to 310 CMR 7.18(2)(b).
310 CMR 7.18(11)	U Surface Coating of Miscellaneous Metal Parts and Products.	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(11)	U Surface Coating of Miscellaneous Metal Parts and Products.	8/17/89	1/11/93	58 FR 3495	93	Approval of 310 CMR 7.18(11), (11)(b), (11)(c), (11)(d) and (11)(e).
310 CMR 7.18(12)	Graphic arts-rotogravure and flexography	6/7/91	6/30/93	58 FR 34911	58	Approval of 310 CMR 7.18 (11), (11)(a), (11)(a)1., (11)(a)2., (11)(a)3.
310 CMR 7.18(12)	U Graphic Arts	7/21/81 3/10/82	6/2/82	47 FR 23927	48	Adds to 310 CMR 7.18(2)(b).
310 CMR 7.18(12)	U Graphic Arts	9/9/82	11/9/83	48 FR 51480	53	Replacement of 310 CMR 7.18(12).
310 CMR 7.18(13)	Perchloroethylene dry cleaning systems	8/17/89; 6/7/91	1/11/93	58 FR 3495	93	
310 CMR 7.18(13)	U Dry Cleaning Systems-Perchloroethylene	7/21/81 3/10/82	6/2/82	47 FR 23927	48	
310 CMR 7.18(13)	U Dry Cleaning Systems-Perchloroethylene	9/9/82	11/9/83	48 FR 51480	53	Adds test methods.
310 CMR 7.18(14)	Paper surface coating	3/6/81 9/9/82	3/8/82	47 FR 9836	40	Approval of 310 CMR 7.18(13), (13)(c), (13)(d) and (13)(e). 310 CMR 7.18(13)(a) 8. has been deleted.
310 CMR 7.18(14)	U Paper Surface Coating	8/17/89; 6/7/91	11/9/83 1/11/93	48 FR 51480 58 FR 3495	53 93	Adds test methods. Replacement of 310 CMR 7.18(14).
310 CMR 7.18(15)	Fabric surface coating	3/6/81	3/8/82	47 FR 9836	40	
310 CMR 7.18(15)	U Fabric Surface Coating	9/9/82 8/17/89; 6/7/91	11/9/83 1/11/93	48 FR 51480 58 FR 3495	53 93	Adds test methods. Replacement of 310 CMR 7.18(15).

310 CMR 7.18(16)	Vinyl surface coating	3/6/81	3/8/82	47 FR 9836	40	Adds test methods.
310 CMR 7.18(16)	U Vinyl Surface Coating	9/9/82	11/9/83	48 FR 51480	53	Replacement of 310 CMR 7.18(16).
310 CMR 7.18(17)	RACT	8/17/89; 6/7/91	11/1/93	58 FR 3495	93	
	RACT	9/9/82	11/9/83	48 FR 51480	53	All 100 ton per year sources not covered by a CTG.
	RACT .....	.....	3/6/89	54 FR 9213	.....	Enforceability of plan approvals issued under 310 CMR 7.18(17).
		6/20/89	11/3/89	54 FR 46388	81	RACT for Cranston Print Works Company dated June 20, 1989.
		7/12/89	11/8/89	54 FR 46895	80	RACT for Spaulding Corporation Plan Approval dated October 7, 1985 and amended Plan Approval dated July 12, 1989.
		8/8/89	11/8/89	54 FR 46897	82	RACT for Duro Textile Printers (SM-85-168-IF).
		6/20/89	2/21/90	55 FR 5990	79	RACT Compliance Plan Conditional Approval for Monsanto Chemical Company in Indian Orchard dated 6/20/89.
		11/17/89	8/3/90	55 FR 31590	85	RACT for Boston Whaler in Norwell. Amended Plan Approval 4P89005 dated October 19, 1989 and Plan Approval 4P89005 Correction dated Nov. 17, 1989.
		11/17/89	8/3/90	55 FR 31593	86	RACT for Boston Whaler in Rockland. Amended Plan Approval (4P89006) dated October 19, 1989 and Plan Approval 4P89006 Correction dated November 17, 1989.
	Non-CTG RACT determination	11/2/89	11/27/90	55 FR 34915	87	RACT for Philips Lighting Company in Lynn, MA, dated November 2, 1989.
	RACT	7/9/90	2/19/91	56 FR 6569	89	RACT for General Motors Corporation in Framingham. Amended Plan Approval dated June 8, 1990.
	RACT	6/13/90	2/27/91	56 FR 8132	88	RACT for Acushnet Company, Titleist Golf Division, Plant A in New Bedford. Amended Plan Approval dated June 1, 1990.
	RACT	10/16/90	3/20/91	56 FR 11677	90	RACT for Erving Paper Mills.
310 CMR 7.18(17)	RACT	4/22/90	10/8/91	56 FR 50660	91	RACT amendment for Erving.
310 CMR 7.18(17)	RACT	5/13/91	12/14/92	57 FR 58993	95	RACT for Dartmouth Finishing Corporation.
310 CMR 7.18(17)	U Reasonable Available Control Technology	8/17/89; 6/7/91	11/1/93	58 FR 3495	93	Approval of 310 CMR 7.18(17), (17)(a), (17)(b), (17)(c), (17)(d), (17)(e) and (17)(f).
310 CMR 7.18(17)	RACT	5/22/92	7/28/94	59 FR 38374	(99)	RACT Approval for S. Bent & Bros.
310 CMR 7.18(17)	RACT	7/19/93	1/6/95	60 FR 2017	100	RACT Approval for Nichols & Stone Co.
310 CMR 7.18(17)	Reasonably Available Control Technology	1993	3/6/95	60 FR 12125	104	RACT for Brittany Dyeing and Finishing of New Bedford, MA.
310 CMR 7.18(18)	Polystyrene Resin Manufacture	2/21/86; 2/25/86;	8/31/87	52 FR 32792	73	Regulation pursuant to Group III CTG. "Control of VOC Emissions from the Manufacture of Polystyrene Resins".
310 CMR 7.18(18)	U Polystyrene Resin Manufacturing Technology	6/23/86; 8/17/89; 6/7/91	11/1/93	58 FR 3495	93	Replacement of 310 CMR 7.18(18).
310 CMR 7.18(19)	Synthetic organic chemical manufacture	11/5/86; 12/10/86	11/19/87	52 FR 44395	74	

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State citation	Title/subject	Date submitted by State	Date approved by EPA	Federal Register citation	52.1120(c)	Comments/unapproved sections
310 CMR 7.18(28)	Automotive Refinishing	01/09/85	2/14/86	61 FR 5699	109	Reasonably Available Control Technology Requirement (RACT) for automotive refinishing.
310 CMR 7.19	Interim sulfur-in-fuel limitations for fossil fuel utilization facilities pending conversion to an alternate fuel or implementation of permanent energy conservation measures.	9/12/80	3/19/81	46 FR 17551	37	Energy/environment initiative.
		12/29/81	4/13/82	47 FR 15790	46	ATF Davidson Company, Northbridge, MA temporary sulfur-in-fuel revision until 12/1/83.
		9/28/82	12/1/82	47 FR 54072	52	Polaroid Corp., Waltham, MA temporary sulfur-in-fuel relaxation until 6/1/85.
		9/29/82	6/2/83	48 FR 24689	52	Correction notice.
			11/23/82	47 FR 52704	51	Northeast Petroleum Corp., Chelsea, MA sulfur content increase from 0.28 to 0.55 lbs/mBtu heat release potential permanently.
		4/4/83	3/23/84	49 FR 11092	59	Stanley Wooden Co., Uxbridge, to burn 2.2% until 9/23/86.
		10/31/83	3/23/84	49 FR 11091	61	Reed and Barton Silversmiths, Taunton, to burn 2.2% until 9/23/86.
		11/16/83	7/30/84	49 FR 30306	62	ATF Davidson Company, Northbridge, to burn 2.2% permanently.
		2/2/84	6/15/84	49 FR 24723	63	American Blitrite Corporation, Chelsea, to burn 1.0% until 12/15/86.
		7/11/84	9/25/84	49 FR 37591	67	James River Corporation, Hyde Park Mill, Boston to burn 2.2% until 3/25/87.
		2/8/85,	4/7/86	51 FR 11021	68	Phillips Academy, Andover, MA to burn 2.2% until September 1, 1988.
		10/23/85,	8/12/86	51 FR 28814	70	Mary Ellen McCormick and Malverick Family Development facilities in the Boston Housing Authority, Boston to burn 2.2% until February 12, 1989.
		2/19/86				Mission Hill Extension Family Development facility, in the Boston Housing Authority, Boston, MA to burn 2.2% until May 25, 1989.
		5/12/86	11/25/86	51 FR 42565	71	Adds credit creation option for NO _x RACT sources.
310 CMR 7.19	Generic NO _x bubbling and trading for RACT sources.	3/29/85	8/8/86	61 FR 41338	112	Adds credit use option for NO _x RACT sources.
(2)(d).						
310 CMR 7.19	Generic NO _x bubbling and trading for RACT sources.	3/29/85	8/8/86	61 FR 41338	112	Adds quantification, testing, monitoring, record keeping, reporting, and emission control plan requirements for averaging NO _x RACT sources.
(2)(g).						
310 CMR 7.19 (14)	Generic NO _x bubbling for RACT sources	3/29/85	8/8/86	61 FR 41338	112	Approval of 310 CMR 7.20(10)(c)2. to correct a typographical error.
310 CMR 7.20	U Motor Vehicle Inspection and Maintenance Emission Analyzer Approval Process and Inspection Requirements and Procedures.	6/7/91	6/30/93	58 FR 34911	58	

310 CMR 7.24(5)(b)2.	Revision to gasoline volatility testing regulation	10/16/89	4/19/90	55 FR 14832	83	Replacement of 310 CMR 7.24, 7.24(1), 7.24(2), 7.24(3), and 7.24(4).
310 CMR 7.24	U Organic Material Storage and Distribution	6/7/91, 11/13/92, 2/17/93	6/30/93	58 FR 34911	58	
310 CMR 7.24(6) ..	"Dispensing of Motor Vehicle Fuel" (Stage II)	05/17/90, 06/07/91	12/14/92	57 FR 58996	97	
310 CMR 7.24(6) ..	Dispensing of motor vehicle fuel	2/17/93	9/15/93	58 FR 48318	98	Previous version of rule approved as strengthening the Massachusetts SIP. Revised rule being approved as meeting the Clean Air Act requirements.
310 CMR 7.25	Best available controls for consumer and commercial products.	11/18/94	12/19/95	60 FR 65242	108	Includes architectural & industrial maintenance coatings.
310 CMR 7.27	NO _x Allowance Program	12/19/97	6/2/99	64 FR 29569	(c)(118)	Approval of NO _x cap and allowance trading regulations
310 CMR 7.30	Massport/Logan Airport Parking Freeze	8/04/89, 12/6/89, 3/23/90	3/16/93	58 FR 14157	94	Applies to the parking of motor vehicles on Massport property.
310 CMR 7.31	City of Boston/East Boston Parking Freeze	8/04/89, 12/6/89, 3/23/90	3/16/93	58 FR 14157	94	Applies to the parking of motor vehicles within the area of East Boston.
310 CMR 7.33	City of Boston/South Boston Parking Freeze	7/30/93	10/15/96	61 FR 53633	111	Applies to the parking of motor vehicles within the area of South Boston, including Massport property in South Boston.
310 CMR 7.36	Transit system improvements regulations	12/9/91	10/4/94	59 FR 50498	101	Transit system improvement regulation for Boston metropolitan area.
310 CMR 7.37	High occupancy vehicle lanes regulation	12/9/91	10/4/94	59 FR 50498	101	High occupancy vehicle lanes regulation for Boston metropolitan area.
310 CMR 7.38	Tunnel vent certification regulation	1/30/91	10/6/92	57 FR 46312	96	Tunnel ventilation certification regulation for Boston metropolitan area.
310 CMR 7.40	Low emission vehicle	11/15/93 05/11/94	2/1/95	60 FR 6030	103	Substitute for CFFP.
310 CMR 7.50	Variances, regulations for control of air pollution in the six MA APCDs.	9/14/74	10/8/76	41 FR 44395	7	
310 CMR 7.51	Hearings relative to orders and approvals	9/14/74	2/4/77	42 FR 6812	7	Correction.
310 CMR 7.52	Enforcement provisions	8/28/72	10/28/72	37 FR 23085	4	
310 CMR 8	Regulations for the prevention and/or abatement of air pollution episode and air pollution incident emergencies.	8/28/72 2/22/72	10/28/72	37 FR 23085	4 1	
NOTES:		12/30/76	9/2/77	42 FR 44235	12	Changes significant harm and alert levels.

1. This table lists regulations adopted as of 1972. It does not depict regulatory requirements which may have been part of the Federal SIP before this date.

2. The regulations are effective statewide unless stated otherwise in comments or title section.

[49 FR 49454, Dec. 20, 1984]
EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.1167, see the List of CFR Sections Affected in the Finding Aids section of this volume.
EFFECTIVE DATE NOTE: At 64 FR 29569, June 2, 1999, § 52.1167 was amended by adding an entry for 310 CMR 7.27, effective Aug. 2, 1999.

§ 52.1168 Certification of no sources.

The Commonwealth of Massachusetts has certified to the satisfaction of EPA that no sources are located in the Commonwealth which are covered by the following Control Techniques Guidelines:

- (a) Large Petroleum Dry Cleaners.
- (b) Natural Gas/Gasoline Processing Plants.
- (c) Air Oxidation Processes/SOCMI.
- (d) Polypropylene/Polyethylene Manufacturing.

[52 FR 32792, Aug. 31, 1987]

§ 52.1168a Part D—Disapproval of Rules and Regulations.

On December 30, 1985, the Massachusetts Department of Environmental Quality Engineering (DEQE) submitted a revision to the Massachusetts State Implementation Plan (SIP) for the automobile surface coating regulation. This revision requested an extension of the final compliance dates to implement reasonably available control technology (RACT) on topcoat and final repair applications. As a result of EPA's disapproval of this revision, the existing compliance date of December 31, 1985 specified in the automobile surface coating regulation contained in the Massachusetts SIP will remain in

effect (Massachusetts Regulation 310 CMR 7.18(7) as approved by EPA and codified at 40 CFR 52.1120(c)(30) and (53)).

[53 FR 36014, Sept. 16, 1988]

§ 52.1169 Stack height review.

The Commonwealth of Massachusetts has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion technique as defined in EPA's stack height regulations, as revised on July 8, 1985. This declaration was submitted to EPA on April 8, 1986. The commonwealth has further declared in a letter from Bruce K. Maillet, dated June 24, 1986, that, "[A]s part of our new source review activities under the Massachusetts SIP and our delegated PSD authority, the Department of Environmental Quality Engineering will follow EPA's stack height regulations, as revised in the FEDERAL REGISTER on July 8, 1985 (50 FR 27892)." Thus, the Commonwealth has satisfactorily demonstrated that its regulations meet 40 CFR 51.118 and 51.164.

[52 FR 49407, Dec. 31, 1987]